

Excerpts From Statement by Dean to

Senate Committee Investigating Watergate

TIMES, TUESDAY, JUNE 26, 1973

Special to The New York Times

WASHINGTON, June 25—
Following are excerpts from the prepared statement of John W. Dean 3d before the Senate Watergate committee today:

To one who was in the White House and became somewhat familiar with its interworkings, the Watergate matter was an inevitable outgrowth of a climate of excessive concern over the political impact of demonstrators, excessive concern over leaks, an insatiable appetite for political intelligence, all coupled with a do-it-yourself White House staff, regardless of the law. However, the fact that many of the elements of this climate culminated with the creation of a covert intelligence operation as part of the President's re-election committee was not by conscious design, rather an accident of fate.

It was not until I joined the White House staff in July of 1970 that I fully realized the strong feelings that the President and his staff had toward antiwar demonstrators—and demonstrators in general.

The White House (principally Ehrlichman) often made or cleared the final decisions regarding demonstration activity.

The White House was continually seeking intelligence information about demonstration leaders and their supporters that would either discredit them personally or indicate that the demonstration was in fact sponsored by some foreign enemy. There were also White House requests for information regarding ties between major political figures (specifically members of the U.S. Senate) who opposed the President's war policies and the demonstration leaders.

Staff Called 'Disbelieving'

I also recall that the information regarding demonstrators—or rather lack of information showing connections between the demonstration leaders and foreign governments or major political figures—was often reported to a disbelieving and complaining White House staff that felt the entire system for gathering such intelligence was worthless. I was hearing complaints from the President personally as late as March 12th of this year.

Approximately one month after I arrived at the White House I was informed about the project to restructure the Government's intelligence gathering capacities vis-a-vis demonstrators and domestic radicals. The revised domestic intelligence plan was submitted in a document for the President.

The committee has in its possession a copy of that document and certain related memoranda pursuant to the order of Judge Sirica. After I was told of the Presidential-approved plan that called for bugging, burglarizing, mailcovers and the like, I was instructed by Haldeman to see what I could do to get the plan implemented. I thought the plan was totally uncalled for and unjustified.

I talked with Mitchell about the plan, and he said he knew there was a great desire at the White House to see the plan implemented, but he agreed fully with F.B.I. director Hoover, who opposed the plan, with one exception: Mitchell thought that an interagency evaluation committee might be useful, because it was not good to have the F.B.I. standing alone without the information of other intelligence agencies. After my conversation with Mitchell, I wrote a memorandum requesting that the evaluation committee be established, and the restraints could be removed later.

Set Up In 1971

The Interagency Evaluation Committee was created, as I recall, in early 1971. I requested that Jack Caulfield, who had been assigned to my office, serve as the White House liaison to the I.E.C., and when Mr. Caulfield left the White House, Mr. David Wilson of my staff served as liaison. I am unaware of the I.E.C. ever having engaged in any illegal assignments, and certainly no such assignment was ever requested by my office. The reports from the I.E.C., or summaries of the reports were forwarded to Haldeman and sometimes Ehrlichman.

In addition to the intelligence reports from the I.E.C., my office also received regular intelligence reports regarding demonstrators and radical groups from the F.B.I. and on some occasions, from the C.I.A.

I became directly and personally aware of the President's own interest in my reports regarding demonstrations when he called me during a demonstration of the Vietnam Veterans Against the War on the Mall in front of the Capitol. This was the occasion in May, 1971, I believe that is the date, when the Government first sought to enjoin the demonstration and later backed down. The President called me for a first hand report during the demonstration and expressed his concern that I keep him abreast of what was occurring. Accordingly, we prepared hourly status reports

to assurance from Jack Caulfield, because Hunt, Bittman, and his lawyer Alch, had lost rapport with him. I told Mitchell I would do it.

Based on the earlier conversation I had with Ehrlichman on the 5th of January that the clemency assurance that had been given to Hunt would also apply to the others and Colson's description of how he had given Bittman a general assurance, without being specific as to the commitment, I called Caulfield in California later that day to request that he get in touch with McCord. Caulfield told me that it would be very difficult, because he was going to be in California for several more days. Caulfield indicated that it would be easier for Mr. Ulasewicz rather than himself to talk with McCord.

I said fine and then gave him the clemency message similar to the message that Colson had transmitted to Hunt via Bittman. Caulfield wrote down the gist of the message, he repeated his notes back, I said that was fine, and told him I thought that McCord would be expecting to hear from him as soon as possible. Caulfield said he would have the message delivered right away.

On Jan. 11, I received a call from O'Brien, who asked me if the message had been delivered by Caulfield. I told him that it had. O'Brien told me that McCord wanted to speak with Caulfield personally, and asked me when Caulfield could meet with McCord. I told him I would try to arrange it . . .

I called Caulfield on Jan. 11 and told him that McCord wanted to meet with him and asked him if he would do so and take McCord's pulse as to what he planned to do. He told me he would meet McCord as soon as he returned to Washington.

On Friday, June 12, Mitchell called me for a report. I told him I thought I would hear from Caulfield after he

talked to McCord. Caulfield called me at home Friday night to inform me that he had met with McCord and suggested we meet at my office in the morning so he could give me a report . . .

The sum and substance of the report was McCord had not decided what he was going to do, but that he wanted his freedom. Caulfield reported that McCord was very annoyed a Magruder . . .

Caulfield told me that it was his assessment that McCord would only respond to a direct request from the President. I told Caulfield that he couldn't make such a statement because I had no such request from the President, but suggested he meet again with McCord and keep him happy . . .

RETRIEVING CIA MATERIAL FROM THE DEPARTMENT OF JUSTICE

As a result of a conversation I had with Ehrlichman, I was asked to attempt to have the CIA retrieve from the Department of Justice information relating to Hunt's dealings with the CIA . . .

I (had had) a discussion with CIA Director Helms and one of his deputies in Ehrlichman's office when they went over the type of material that they would be providing to the Department of Justice (for the Watergate investigation). I subsequently had occasion, while at the Department of Justice, to talk with Henry Peterson about the CIA material and he showed me a copy of the information the CIA had provided him, and he told me Gray had the same material.

I remember that the document had attached to it a number of photographs which had come from a camera. The pictured, which had been processed by the CIA included a picture of Liddy standing in front of Ellsberg's psychiatrist's office.

I informed Ehrlichman about this and that is the reason he subsequently requested that I seek to retrieve the documents before the Senate investigators got a copy of the material.

I discussed this with Peterson, but he said that they had received a letter in early January of this year from Sen. Mansfield regarding the maintenance of all records relating to the case and that the only thing that he could do would be to extract the document and leave a card to the effect that the document had been returned to CIA. I reported this to Ehrlichman and he told me that he thought that the CIA ought to get all of the material back and that no card should be left in the file and that national security grounds should be used to withhold release of the information.

On Feb. 9, 1973, I spoke with Director Schlesinger of the CIA and asked him if it would be possible to retrieve the material that had been sent to the Department of Justice in connection with the Watergate investigation . . .

I subsequently had a visit from Gen. Walters in late February at which time he told me that the CIA was opposed to (this) . . .

As I will explain later in discussing a meeting with Mr. Krogh, the fact that this material was in the possession of the Department of Justice meant to me that it was inevitable that the burglary of Ellsberg's psychiatrist's office would be discovered. I felt that any investigator worth his salt would certainly be able to look at the pictures in the files at the Department of Justice and immediately determine the location and from there discover the fact that there had been a burglary of the office that was in the picture.

WHITE HOUSE PLANS FOR PERPETUATING THE COVER-UP THROUGHOUT THE SENATE WATERGATE INVESTIGATION.

Even before the Watergate criminal trial in January of this year, there had been press reports and rumors that the Senate was planning independent hearings on the Watergate . . .

I was aware of the interest of Ehrlichman and Haldeman in the prospects of such hearings because they had discussed it with me, and Bill Timmons told me they had discussed it with him.

On Dec. 13, 1972, Timmons informed me that Sen. Jackson was coming to the White House for a meeting with the President. Timmons said that Sen. Jackson was a member of the Senate Democratic Policy Committee and had an excellent rapport with the President. Timmons asked me what I thought about having the President inquire of Sen. Jackson regarding the potential of a Senate inquiry into the Watergate. I responded that I thought

it was a good idea, but would have to check. Timmons said the meeting with Sen. Jackson was going to be without staff present, and asked me to draft a memorandum to the President raising the issue. I told him I would check with Haldeman.

A meeting had been scheduled in Mr. Haldeman's office at which Ehrlichman, Moore, Ziegler and I were to attend. When Ehrlichman came to Haldeman's office for the meeting I raised the matter of the President's asking Senator Jackson about the hearings because I did not have the authority to send memoranda directly to the President. Ehrlichman thought it was a good idea, so I walked the memorandum down to Alex Butterfield to take to the President before the meeting. I have submitted to the committee (Exhibit No. 30) a copy of the memorandum.

When Haldeman returned to his office with Mr. Armstrong, Ehrlichman and I were in his office, but he asked us to leave and proceed with the meeting in Ziegler's office where Moore and Ziegler were waiting. I have referred earlier to the substance of this meeting of December 13th in discussing the proposed written Dean report.

Ehrlichman returned to his office and Haldeman later came to the meeting and told me that he had blocked the memorandum regarding the Watergate inquiry from going to the President. He, in fact, had the original memorandum with him and had drawn a line through it. I told him that Timmons had suggested it and that Ehrlichman had also approved it. He said he had not known that, and made a note on the memorandum to the President and immediately sent it back to Butterfield to give to the President.

I learned that day from Timmons, who later met with Senator Jackson, that the senator did not know what the Senate Democratic Policy Committee

was going to do about the Watergate. I do not know if the President discussed this subject with Senator Jackson.

Timmons continued to report to Haldeman and me that there were rumblings on the Hill that the Senate was going to proceed with hearings. Senator Kennedy's subcommittee on administrative practices and procedures had been conducting an investigation for several months, but it was uncertain as to whether they would proceed. It was learned in late December/early January that Senator Mansfield was pushing hard for Watergate hearings, but there was a debate as to who should handle the hearings.

On January 5th or 6th, it was reported in the press that Senator Mansfield had sent letters to Senator Eastland and Senator Ervin regarding the holding of hearings. Before that letter became public, however, both Wally Johnson and Fred Larue had informed me that they had talked with Senator Eastland. The White House wanted Senator Eastland to hold such hearings because they felt that Senator Eastland would be friendly and that the White House had more friends on the judiciary committee than on Senator Ervin's Government Operations Committee.

I was told that the White House congressional relation staff was doing what it could to get the hearings before Senator Eastland's committee. On January 11th of this year, the Senate Democrats formally voted that Senator Ervin would head the inquiry into the Watergate incident and related matters, and I must add, much to the displeasure of the White House.

On February 5th 1973, the chairman introduced his resolution to create this committee. I offered a few suggestions off the top of my head: that it be broadened to cover other elections than the 1972 Presidential campaign; that the minority members have adequate staff; that it be bi-partisan with equal representation of the Republicans and Democrats, and that the minority members have the power to call for an executive session when they believed it necessary. Wally Johnson indicated that he could get someone at the Justice Department to draft amendments and that he and Timmons would peddle them to friendly Republicans.

I later had discussions with Haldeman and Ehrlichman about the Senate hearings and they felt that it was time to develop a strategy for dealing with the Senate situation. We had made it through the trial without any prob-

lems, but the Senate hearings were a new and possibly larger problem. Accordingly, I suggested that there be a meeting called where these matters could be discussed. I also suggested that we might call on Mr. Bryce Harlow.

Ehrlichman, Haldeman and Mitchell all agreed that Mr. Harlow's counsel would be most helpful. Accordingly, I had my secretary schedule a meeting in Ehrlichman's office on February 6th, 1972.

Prior to this meeting, but after my meeting with the President in September when he had mentioned to me that Mr. Hoover had told him that he (the President) had been bugged during his 1968 campaign, the thought of getting this information out had been discussed. I can recall discussing it with Ehrlichman and Haldeman, and in turn, discussing it with Mitchell. Haldeman and Ehrlichman wanted Mitchell to get the information from Mr. DeLoach. I so informed Mitchell.

Mr. Mitchell informed me that he was trying to get the facts regarding the bugging from DeLoach, whom he believed would have known if it had, in fact, happened. Mitchell had talked to DeLoach prior to the February 6th meeting and had received some information, but not much.

The meeting assembled in Ehrlichman's office. Mitchell was late in arriving because of a delayed flight from New York City. Those present were Ehrlichman, Haldeman, Mitchell, Harlow, Moore and myself. When Mitchell arrived, he reported that there had been some surveillance by the Johnson Administration, but DeLoach was unaware of a bugging or wiretap. I remember that I told Harlow that I thought he had been recorded when he was traveling with the vice president in 1968. I based this on a conversation I had had with Mitchell earlier. The surveillance that DeLoach reported to Mitchell was related to Mrs. Anna Chennault and a foreign embassy. Also the telephone toll records from Vice Presidential Candidate Agnew's air-

plane when he had stopped in Albuquerque, New Mexico, had been checked by the FBI.

The meeting then turned to a general discussion of the proposed amendments and Timmons was called for from the congressional leadership meeting that was then in session in the cabinet room . . . Timmons was instructed to request Senator Hugh Scott to come to his office after the leadership meeting and I was instructed to go to Mr. Timmons' office to explain the amendments to the resolution to Senator Scott. I was also told that I should tell the Senator to raise the 1968 bugging incident as a reason to expand the scope of the resolution to prior presidential elections. I left to brief Senator Scott with the feeling that the meeting had accomplished nothing. I went to Timmons' office, had a brief meeting with Senator Scott, and, as I was returning to my office, I ran into Dick Moore who told me that he felt that the meeting had been useless. I agreed.

On February 7th, Timmons informed me that the White House amendments had been virtually rejected out of hand and the resolution adopted 77/0. Timmons told me he had discussed with Haldeman the possibilities of suggesting names for the Republican side of the select committee with Senator Scott and Scott seemed receptive.

On February 8th, the members of this committee were named and I recall Timmons telling me that Haldeman had "chewed him out," but Timmons told me Scott had never given him a chance to make any recommendation.

On February 9th, I had planned to go to Florida for a week or ten days. The President had departed for San Clemente, and it appeared that everyone could relax for awhile. In mid-afternoon, however, my plans were changed when I received a call from

Ehrlichman in San Clemente telling me that he wanted Mr. Moore and me to come to California that night so that he could discuss in full detail the problems of how to deal with the forthcoming Senate HEARINGS . . .

THE LA COSTA MEETINGS

Everyone was staying at the La Costa resort Hostel, south of San Clemente. The meetings with Haldeman and Ehrlichman, Moore and myself ran for two days, and I would estimate they involved between twelve to fourteen hours of discussion. The meeting began on Saturday morning, February 10th, at San Clemente.

Based on notes I took during the meeting, I will attempt to reconstruct what transpired. I should also point out that before I departed San Clemente to return to La Costa I was given several memoranda, which I have submitted to the committee (Exhibit No. 31), which directly reflate to what occurred at La Costa.

I did not look at these memoranda until several days after the meeting was rather surprised that Haldeman would state in writing specific instructions to me regarding his thoughts on perpetuating the Watergate tactics or the cover-up by a counter offensive against the forthcoming Senate hearings.

What had happened by this point in time was that the cover-up had become a way of life at the White House, and having made it to this point, those involved were becoming careless and more open about it. Also, the Senate was different than the courts, grand jury, FBI and the like that had been dealt with earlier.

Before turning to the substance of the La Costa meetings, I would like to note that Mr. Moore and I had talked on many occasions about the Watergate affair and the damage it was doing. Mr. Moore is the only person—other than Mr. O'Brien on a few occasions—to whom I ever expressed my deep concern about the matter, particularly the cover-up.

While Moore did not know all the facts he knew a great deal and was becoming increasingly aware of the dimensions of the problems. I talked to Moore far differently than anyone else. I talked to him about how we could end this matter once and for all. I expressed my concern to him often about how to end the matter before it ruined the second term of the President. I was concerned that it was not going to simply go away, and I had learned that the press was becoming aware of other illegal activities at the White House.

I never discussed these other matters with Moore, but I told him the cover up was bigger than the Watergate incident per se. The more that we talked about it the less we could find a solution—so the cover up proceeded.

It was realized that it was going to take an all out effort by the White House to deal with the Senate inquiry, because of the scope of the resolution, the composition of the committee, the investigative powers of the committee, and the general feeling that the Senate was a hostile world for the White House. Haldeman and Ehrlichman were disappointed that the efforts to influence the Senate resolution creating the select committee had failed, as well as the White House efforts to recommend members to the select committee. Thus, the focus of the discussion was how to deal with the committee henceforth . . .

Ehrlichman said that the White House could not look for any help from the Democrats. I recall that when we were discussing the Democratic members of this committee, and I read from the Congressional Directory the data on Senator Inouye, Ehrlichman said that his name is pronounced "Ain't-No-Way" and then said, indeed, there ain't-no-way he's going to give us anything but problems.

The Republican members of this committee were also discussed in that morning meeting. It was Ehrlichman who was doing most of the assessing, but occasionally Haldeman would add a comment. Senator Weicker was an independent who could give the White House problems.

Senator Gurney would help the White House and would not have to be told to do so. I recall that Ehrlichman said that Senator Gurney needs the White House because former Congressman Cramer may take him on in his next primary. Senator Gurney was considered a sure friend and protector of the President's interest. Senator Baker was an unknown, and neither Haldeman nor Ehrlichman knew which way he might go.

I might add that in a subsequent discussion I had with the President he also reached a similar conclusion regarding the Republicans. He thought that Senator Baker might help, but was not sure. He was confident, however, that Senator Gurney would protect the White House and would do so out of political instinct and not have to be persuaded to do so.

The long and short of this morning discussion was that the White House had one friend - Senator Gurney - and the possibility of wooing and winning another.

Later, after the meeting had reconvened at La Costa, the discussion turned to a general approach of how to deal with the select committee. Ehrlichman suggested that it should be publicly analogized to the ITT hearings — that is, the hearings were a waste of time to the Senate; they were very partisan, and ultimately repudiated by the Senate when Kleindienst was confirmed.

After a general discussion, Ehrlichman and Haldeman concluded that the theory for dealing with this committee should be as follows: the White House will take a public posture of full cooperation, but privately will attempt to restrain the investigation and make it as difficult as possible to get information and witnesses.

A behind-the-scenes media effort would be made to make the Senate inquiry appear very partisan. The ultimate goal would be to discredit the hearing and reduce their impact by attempting to show that the Democrats have engaged in the same type of activities.

During the meeting on Saturday afternoon (February 11th) Ehrlichman instructed me to call Wally Johnson and tell Johnson that he was to go visit with Senator Baker during the then

Congressional recess to find out how Senator Baker planned to operate (that is — was he going to be friend or foe) and to ask Senator Baker how the White House could aid him, particularly regarding the selection of the minority counsel.

At one point in the meeting, Ehrlichman raised the question of whether or not the select committee was going to be able to obtain the grand jury minutes and other investigative records from the FBI and the U.S. Attorney's Office. I said I did not know and then a discussion of possible legal options ensued.

No one really knew what the law might be regarding this matter, but Ehrlichman stated that the attorney general will have to be told that the Justice Department should resist turning over such records, and that I should get word back to the attorneys for the defendants that they should fight the release of these investigative records to the Senate on the grounds that it would have an adverse impact on their appeals.

When discussing how to handle the press coverage of the Senate hearings, Haldeman suggested that Pat Bu-

chanan be used as a watch dog of the press. Mr. Buchanan could prepare speeches on the biased press coverage. He could write op-ed articles and actually attend the hearings and be a White House spokesman to take the pressure off Ziegler's daily briefings.

It was decided by Haldeman and Ehrlichman that Mr. Baroody's White House attack group—a group of media-oriented White House aides who meet virtually every morning to determine how to counter adverse news or push White House programs—should not be involved.

There was also discussion during the LaCosta meeting of the role the re-election committee would play during the Senate Hearings . . . It was decided that the re-election committee should beef up its legal and public relations staffs. Paul O'Brien and Ken Parkinson should be given any additional legal staff they wished, as they would be responsible for handling witnesses from the committee who would be called to the Hill to testify.

Mr. Van Shumway, who had been handling press relations for the re-election committee, would be asked to remain on and provided with any additional staff he needed. Mr. Moore would have general oversight of Mr. Shumway's operation.

At one point, Haldeman suggested that the re-election committee hire private investigators to dig out information about the Democratic campaigns. I raised the wisdom of this because this would be more political surveillance. The matter was left unresolved.

There was lengthy discussion of the importance of the minority counsel. Mr. Moore related back to some episodes during the McCarthy hearings. Both Ehrlichman and Haldeman felt very strongly about having a man, as Minority Counsel, who would work with the White House. A number of suggestions were made and discussed. Ehrlichman thought that Mr. Fred Buzzhardt would be an excellent choice. I was asked to come up with some names for consideration as soon as possible and report back.

It was toward the end of the meeting on Sunday afternoon, February 11th, that Ehrlichman raised the bottom line question: Would the seven Watergate defendants remain silent through the Senate hearings? I say this was a bottom line question because the entire strategy was based on this continued silence. I reported that I could not answer the question because I did not know.

I said that I understood that they were still demanding more money, but as we had discussed previously, there was no more money available. I told both Haldeman and Ehrlichman that I had carried their messages to Mitchell, that this is something he should take care of, but they were aware of Mitchell's feelings that the White House should be concerned about the matter.

I said as far as I was concerned that they would have to take this up with Mitchell in that Mitchell felt it was a matter for the White House. At this point, Ehrlichman told Mr. Moore—who was hearing all this for the first time—that he (Moore) should go to Mitchell and simply lay it out that it was Mitchell's responsibility to raise the necessary funds for these men.

It had been decided at the outset of the first day of the meetings that Moore would go to New York and re-

solved regarding dealing with the Senate hearings, and now Ehrlichman was telling Moore that an important element of his visit with Mitchell would be for him to get Mitchell to raise the necessary future funds for the seven Watergate defendants.

The meeting concluded on this item and Moore and I departed together. I told him as we walked back to our rooms that I was very distressed that this matter had come up in his presence, but that he now had a very real idea of the dimensions of the situation. I told him I did not think that he should get involved in carrying such a message to Mitchell. Mr. Moore was concerned, but felt that he had an obligation to do what Ehrlichman and Haldeman expected of him . . .

FOLLOWING UP ON THE LA COSTA MEETING

On February 13th, I received a call from Johnson, who informed me that he had talked with Senator Baker by telephone. He told me that he had informed Senator Baker that he would serve as the White House liaison to the select committee.

Johnson reported that Senator Baker had told him that a personal visit was not necessary, that they could talk when he returned to Washington from Tennessee. Johnson said that he had discussed the minority counsel position with Senator Baker, and the senator said he did not want any official input from the White House and had already given some thought to the qualifications he was seeking in his minority counsel. Johnson reported that the senator had fifty names already under consideration and planned to make his selection in the next few days. Johnson told me that he didn't think Senator Baker had ruled out the White House's making some suggestions, but we would have to move

quickly. Mr. Johnson also reported that Senator Baker had told him that the White House should be concerned with the President's posture vis-a-vis the Senate inquiry. Finally, he reported that Senator Baker had indicated that he and the chairman would be getting together after the recess and would discuss staffing and procedural matters at that time. I passed this report to Haldeman via Mr. Higby.

On February 15th, after a late breakfast, O'Brien and I took about a two hour walk down the beach, at which time I told him what had occurred at La Costa. I told him that Moore had been dispatched to New York by Haldeman and Ehrlichman to tell Mitchell it was his responsibility to raise the future funds for the convicted defendants. O'Brien's reaction—as he was well aware of Mitchell's feeling that this was Haldeman's and Ehrlichman's problem and not his—was that Mitchell would probably go through the roof . . .

I returned to the office on Monday, February 19th, and spoke with Haldeman on either the 19th or 20th. He requested that I draw up an agenda for a meeting with the President regarding matters which the President should reflect on as a result of the La Costa meeting and subsequent matters which had come up . . . I prepared the agenda. I thought that I was going to attend the meeting with the President, but Haldeman called for the agenda, and not me. I have submitted to the committee a copy of the agenda (Exhibit No. 32).

You will see that the agenda deals with five items to be discussed and resolved with the President: (1) Senator Baker's requested meeting with the President; (2) submitting Secretary Stans' name for a confirmable position; (3) what to do with Mr. Magruder; (4) using Mr. Buchanan during the Senate hearings; and (5) getting the attorney general back in touch with the White House.

Subsequent to Haldeman's meeting with the President, he informed me that (1) the President would meet with Senator Baker; (2) I should discuss with Mr. Stans his interest in a confirmable position; (3) Mr. Magruder could not return to the White House staff; (4) Mr. Buchanan could not be used at the Senate hearings; and (5) the President would meet with the attorney general. I have not explained at this point the details of this rather significant document, but I believe the document is rather self-explanatory of the continuing cover up and I will, of course, answer any questions about it.

I was not present when the President and Haldeman discussed these matters, but I had discussed them with Haldeman before he went to see the President and he informed me of the President's decisions after the meeting; thus, I assume that the agenda I had prepared was the basis of their discussions.

On February 20th or 21st, Timmons told me he had arranged for the President to have an off-the-record, private meeting with Senator Baker. As you will note from the agenda I referred to just a moment ago, Mr. Timmons had reported that the senator had told Timmons he wanted guidance and Timmons' interpretation was that the senator wished to help the White House.

After the President met with Senator Baker I was informed by Haldeman that the senator had appeared to be very interested in being cooperative and the President had the impression that he might be helpful. This, of course, was the White House hope, but nothing that was reported from the meeting made this anything more than a hope.

Also, Senator Baker told the President that he wanted his contact point to be Mr. Kleindienst, rather than someone on the White House staff. Haldeman told me that Senator Baker had urged the President to waive executive privilege and send members of the White House staff to the hearings as quickly as possible, but the President had told Senator Baker that he was going to hold the line at written interrogatories.

Finally, I was told that both the President and Senator Baker had discussed that there should be an effort to get the hearings over as quickly as possible.

This report of the meeting which Haldeman gave me was later confirmed in discussions I had with the President myself in early March of this year.

On February 22nd, Mr. Haldeman requested that I prepare a briefing paper for the President's meeting that day with Attorney General Kleindienst. Throughout the Watergate investigation Haldeman and particularly Ehrlichman, had complained about Mr. Kleindienst's passive role in the investigation and prosecution. Haldeman and Ehrlichman were both aware of the strained relationship between Kleindienst and the White House. I knew that Ehrlichman was riding hard on the Justice Department in an effort to undermine Mr. Kleindienst.

I also knew from conversations with Kleindienst that he had little affection for Ehrlichman. The Senate Watergate hearings presented the real possibility of the Justice Department having to make further criminal investigations that would lead back to the White House.

Accordingly, the President was the only one who could bring Mr. Kleindienst back in the family to protect the White House and this meeting was designed to do just that. As a result of Senator Baker's request that Kleindienst be his contact point, the President had a perfect vehicle to solicit

Kleindienst's assistance during the hearings and, if anything should develop during the hearings, to not let all hell break loose in a subsequent investigation.

I have submitted to the committee a copy of the briefing paper I was requested to prepare. I know that this document went to the President because just before the meeting was to occur, I realized that the President might not understand the reference to the fact that Kleindienst was considering one particularly attractive offer from a law firm that he was likely to accept. I called Haldeman to explain this, but Haldeman said the paper had

See TEXT, A13, Col. 5

TEXT, From A12

gone in and the President would understand that this was a reference to Governor Connally's law firm because Governor Connally had discussed it with the President.

The president subsequently discussed this meeting with me in early March. He told me that he would continue to call Mr. Kleindienst from time to time, but I should also make certain that Kleindienst was working closely with Senator Baker in preparation for the select committee hearings.

As I mentioned earlier, I had also been informed that the President had made a decision that Magruder could not return to the White House. Magruder had been working at the Inaugural Committee and even before the inauguration he told me that he had called Mr. Higby requesting a meeting with Haldeman to discuss his future. After the inauguration, Magruder told me that he had to decide what he was going to do. Prior to that meeting I had informed Haldeman that Mr. O'Brien had had some discussions with Magruder and that Magruder was indicating that Haldeman and Colson were very much involved in the planning and approval of the Liddy operation.

After Magruder met with Haldeman in late January, 1973, I had occasion to see him in the hall of the EOB. He told me that he had talked with Haldeman and Mitchell about running for office in California and was planning a trip to California to test the water.

Shortly after this conversation with Magruder I phoned Haldeman and told him that I thought Magruder was making a mistake in going to California in pursuit of an elected office.

Haldeman agreed and said he was going to call Bob Finch and suggest that when Magruder met with him (Finch) that he be dissuaded. He asked me to call Kalmbach and make a similar suggestion, which I did, and Kalmbach said he would do it.

After Magruder returned from California he had decided that he wanted to stay in Washington. He was pushing hard to return to the White House staff, and work on the bicentennial program. No one had the heart to tell Magruder that the President had said that he could not return to the White House staff. It was during this period of time, which I believe was mid-February, Magruder had a conversation with Mr. O'Brien, in which he told O'Brien that he had received his final authorization for Liddy's activities from Gordon Strachan and that Strachan had reported that Haldeman had cleared the matter with the President.

I reported this to Haldeman, who expressed concern over Magruder's statement. After I reported this information, the White House efforts to find a job for Magruder became intense. . .

Meetings With The President, February-March, 1973

I have described to the committee several matters that followed the La Costa meeting which directly involved Presidential decision making and Presidential involvement.

MEETING ON FEBRUARY 27TH

I would now like to turn to my direct dealings with the President which began in late February of 1973 with regard to the Watergate and related matters . . .

This was the first meeting I had had with the President since my September 15, 1972 meeting which related to the Watergate. It was at this meeting that the President directed that I report directly to him regarding all Watergate matters. He told me that this matter was taking too much time from Haldeman's and Ehrlichman's normal duties and he also told me that they were principals in the matter, and I, therefore, could be more objective than they.

The President then told me of his meetings with Senator Baker and the Attorney General. He told me that Senator Baker had requested that the attorney general be his contact point and that I should keep in contact with the Attorney General to make sure that the attorney general and Senator Baker were working together. He asked me to follow up immediately to determine if the attorney general and Baker had met.

I informed him that I had earlier discussed this with the attorney general and the attorney general was planning to meet with Senator Baker and Senator Ervin to discuss turning over FBI data regarding the Watergate investigation.

A brief discussion followed in which the President recounted, what had already been reported to me by Haldeman, that he had told Senator Baker that he would not permit White House staff to appear before the select committee, rather he would only permit the taking of written interrogatories. He asked me if I agreed with this and I said that written interrogatories were something that could be handled whereas appearances might create serious problems.

He told me he would never let Haldeman and Ehrlichman go to the hill. He also told me that Senator Gurney would be very friendly to the White House and that it would not be necessary to contact him because the President said Senator Gurney would know what to do on his own.

On the way out of his office he told me I had done an excellent job of dealing with this matter during the campaign, that it had been the only issue that McGovern had had and the Democrats had tried to make something out of it, but to no avail. I told him as we were walking together out of the office that I had only managed to contain the matter during the campaign, but I was not sure it could be contained indefinitely. He told me that we would have to fight back and he was confident that I could do the job.

I had received word before I arrived at my office that the President wanted to see me. He asked me if I had talked to the Attorney General regarding Senator Baker. I told him that the attorney general was seeking to meet with both Senator Ervin and Senator Baker, but that a meeting date had not yet been firmed up.

I told him that I knew it was the Attorney General's wish to turn over the FBI investigation and the President said that he didn't think we should, but asked me what I thought of the

idea. I told him that I did not think that there was much damaging information in the FBI investigation although there could be some bad public relations from it.

He told me to think about this matter. He also said that he had read in the morning paper about the Vesco case and asked me what part if any his brother Ed had had in the matter. I told him what I knew of his brother's involvement, which was that he was an innocent agent in the contribution transaction.

We then discussed the leak to Time magazine of the fact that the White House had placed wiretaps on newsmen and White House staff people. The President asked me if I knew how this had leaked. I told him that I did not; that I knew several people were aware of it, but I didn't know any who had leaked it. He asked me who knew about it. I told him that Mr. Sullivan, Mr. Mark Felt, and Mr. Mardian, were aware of it. I told him that Sullivan had told me that he thought that Director Hoover had told somebody about it shortly after it happened because Hoover was against it and that Sullivan said that he had heard that this information had gone to Governor Rockefeller and in turn had come back from Governor Rockefeller to Dr. Kissinger.

We then talked about the executive privilege statement and the President expressed his desire to get the statement out well in advance of the watergate hearings so that it did not appear to be in response to the watergate hearings.

We also discussed Mr. Mollenhoff's interest in the Fitzgerald case, and he asked me to look into the matter for Mr. Mollenhoff. Before departing his office, he again raised the matter that I should report to him directly and not through Haldeman and Ehrlichman.

I told him that I thought he should know that I was also involved in the post June 17th activities regarding Watergate. I briefly described to him why I thought I had legal problems, in that I had been a conduit for many of the decisions that were made and therefore could be involved in obstruction of justice. He would not accept my analysis and did not want me to get into it in any detail other than what I had just related. He reassured me not to worry, that I had no legal problems. (Note: I raised this on another occasion with the President, when Dick Moore was present.)

MEETING OF MARCH 1ST:

The first meeting on this date and the afternoon meeting which occurred on March 1st related to preparing the President for his forthcoming press conference. The President asked me a number of questions about the Gray nomination hearings and facts that had come out during these hearings. In particular I can recall him stating that there should be no problem with the fact that I had received the FBI reports. He said that I was conducting an investigation for him and that it would be perfectly proper for the counsel to the President to have looked at these reports.

I did not tell the President that I had not conducted an investigation for him because I assumed he was well aware of this fact and that the so-called Dean investigation was a public relations matter, and that frequently the President made reference in press conferences to things that never had, in fact, occurred.

I was also aware that often in answering Watergate questions that he had made reference to my report and I did not feel that I could tell the President that he could not use my name. There had been considerable adverse publicity stemming from the Gray hearings and the fact that Gray was turning over FBI information to the Senate Judiciary Committee which caused the President to tell me at this morning meeting that Gray must be "pulled up short." He told me that he had talked with the attorney general to tell him to read the chapter in his book "Six Crises" dealing with the Hiss case regarding the lack of cooperation which Truman and the FBI had given to his investigation. He also told me the FBI Watergate materials should not be turned over by Gray. I informed him that I had had a meeting several days prior with Mr. Sullivan who had been at the FBI for many years and Sullivan had alluded to the fact that the FBI had been used for political purposes by past administrations. I cited a few examples that Mr. Sullivan had given me. The President told me to get this information from Sullivan.

The president told me that he was reading a book at that time called "The 13 mistakes of Kennedy" and he told me that I should read the chapter regarding Kennedy's use of the FBI.

He also told me that I should gather any material I could gather regarding the uses and abuses of the FBI by past administrations so that we could show that we had not abused the FBI for political purposes. The President told me that he was convinced that he had been wiretapped in 1968 and the fact that De Loach had not been forthcoming indicated to the President that De Loach was probably lying. He told me that I should call Don Kendall, De Loach's employer, and tell him that De Loach had better start telling the truth because "the boys are coming out of the woodwork." He said this ploy may smoke De Loach out.

He also asked me who else might know about the bugging of his 1968 campaign, and I suggested that Mr. Tolson, Hoover's former assistant, might have some knowledge of it. He told me that he probably ought to call Mr. Tolson and wish him happy birthday or good health and possibly get some information from him when he talked to him. The discussion then turned back to the Hiss case and I reminded the President of the strong statement he had made in 1950 regarding Truman's refusal to provide his committee with information, and that speech might be raised at the press conference. He asked me to go get a copy of that speech. I returned to his office shortly with a copy of the speech, and he asked me to discuss with him how it would be differentiated from the present situation.

During the March 1st afternoon

meeting the President also asked me some questions about executive privilege and the timing on the release of the executive privilege statement which he had discussed in his press conference on January 31st. I told him that the statement, as far as I was concerned, was ready for release and merely would require the sign-off of a handful of other people. I told him I thought it could be out within a week.

It was during the days after this March 1st meeting with the President that the name Dean began coming increasingly to the forefront in the Gray confirmation hearings, and the rumblings were that there was going to be a situation where Dean could be called to the committee to testify and a number of senators were anxious to use me as a vehicle to test executive privilege. On March 4th or 5th, I had a conversa-

tion with Ehrlichman in which I told him that I thought it would be very difficult to maintain a court test of executive privilege over me, when in fact I had only met with the President infrequently and had had very few conversations with him that would be protected. It was following this conversation with Ehrlichman that I began meeting and talking with the President, at his request, with ever increasing frequency.

MEETING OF MARCH 6TH:

Thus meeting was a brief and general discussion of the status of the Gray hearings and the President reminded me again that I should report directly to him and not involve Haldeman and Ehrlichman with Watergate related matters.

MEETING OF MARCH 7TH:

The President was very unhappy with Gray's performance before the Senate Judiciary Committee. In my meeting with him on this date he made a reference to the fact that Gray's comment regarding my sitting in on the investigations by the FBI was absurd. He felt it was perfectly proper that I was present at those interviews and said that Gray's attitude that he "jolly well" went forward because he had no alternative was absurd.

I also discussed with the President the fact that Ziegler was considering endorsing the ACLU letter to the judiciary committee regarding the turn over of FBI materials. The President thought that that was a good idea. At the end of the meeting the president instructed me to tell the attorney general to cut off Gray from turning over any further Watergate reports to the Senate Judiciary Committee. He said this just had to cease.

MEETING OF MARCH 8TH:

I had a very brief meeting with the President on this date during which he asked me if something had been done to stop Gray from turning over FBI materials to the Senate Judiciary Committee. I told him I thought that the matter had been taken care of by the attorney general.

PHONE CONVERSATION OF MARCH 19th:

The President called me to tell me that he felt we should get the executive privilege statement out immediately; that this should be done before I was called before the Senate Judiciary Committee in connection with the Gray hearings so that it would not appear that the statement on executive privilege was in response to the action by the Senate committee.

MEETING OF MARCH 13th:

This was a rather lengthy meeting, the bulk of which was taken up by a discussion about the Gray hearings and the fact that the Senate Judiciary Committee had voted to invite me to appear in connection with Gray's nomination. It was at this time we discussed the potential of litigating the matter of executive privilege and thereby preventing anybody from going before any Senate committee until that matter was resolved. The President liked the idea very much, particularly when I mentioned to him that it might be possible that he could also claim attorney/client privilege on me so that the strongest potential case on executive privilege would probably rest on the counsel to the President. I told him that obviously, this area would have to be researched. He told me that he did not want Haldeman and Ehrlichman to go before the Ervin hearings and that if we were litigating the matter on Dean, that no one would have to appear.

Toward the end of the conversation, we got into a discussion of Watergate matters specifically. I told the President about the fact that there were money demands being made by the seven convicted defendants. And that the sentencing of these individuals was not far off. It was during this conversation that Haldeman came into the office. After this brief interruption by Haldeman's coming in, but while he was still there, I told the President about the fact that there was no money to pay these individuals to meet their demands. He asked me how much it would cost. I told him that I could only make an estimate that it might be as high as a million dollars or more.

He told me that that was no problem, and he also looked over at Haldeman and repeated the same statement. He then asked me who was demanding this money and I told him it was principally coming from Hunt through his attorney.

The President then referred to the fact that Hunt had been promised executive clemency. He said that he had discussed this matter with Ehrlichman and contrary to instructions that Ehrlichman had given Colson not to talk to the President about it, that Colson had also discussed it with him later. He expressed some annoyance at the fact that Colson had also discussed this matter with him.

The conversation then turned back to a question from the President regarding the money that was paid to the defendants. He asked me how this was done. I told him I didn't know much about it other than the fact that the money was laundered so it could not be traced and then there were secret deliveries.

I told him I was learning about things I had never known before, but the next time I would certainly be more knowledgeable. This comment got a laugh out of Haldeman. The meeting ended on this note and there was no further discussion of the matter and it was left hanging just as I have described it.

The President then told me of his meeting with Senator Baker and the Attorney General. He told me that Senator Baker had requested that the Attorney General be his contact point and that I should keep in contact with the Attorney General to make sure that the Attorney General and Senator Baker were working together.

The President recounted that he had told Senator Baker that he would not permit White House staff to appear before the Select Committee, rather he would only permit the taking of written interrogatories. He told me he would never let Haldeman and Ehrlichman go to the Hill. He also told me that Senator Gurney would be very friendly to the White House and that it would not be necessary to contact him because the President said Senator Gurney

would know what to do on his own.

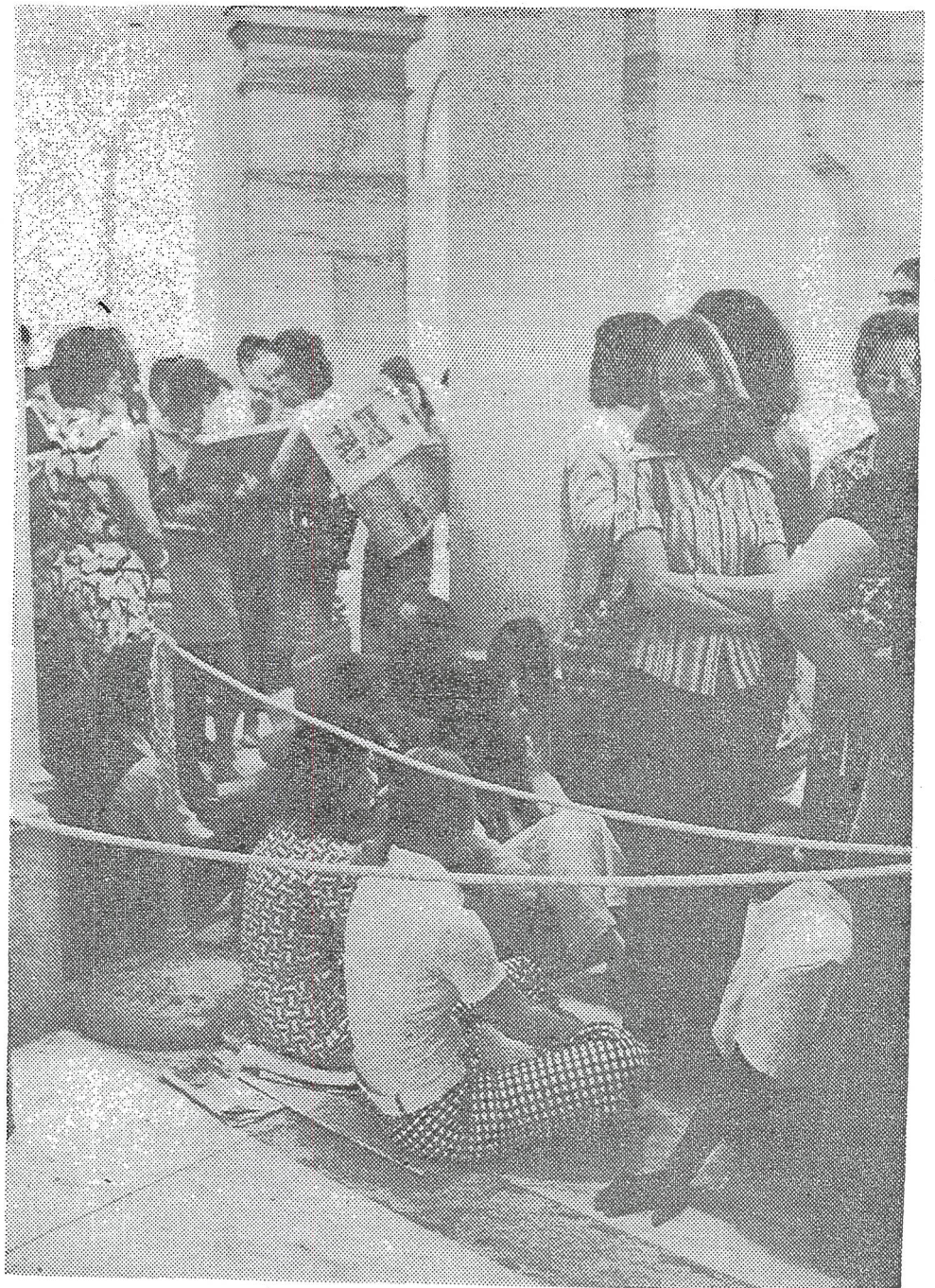
I had received word before I arrived at my office that the President wanted to see me. He asked me if I had talked to the Attorney General regarding Senator Baker. I told him that the Attorney General was seeking to meet with both Senator Ervin and Senator Baker, but that a meeting date had not yet been firmed up.

He said that he had read in the morning paper about the Vesco case and asked me what part if any his brother Ed had had in the matter. I told him what I knew of his brother's involvement, which was that he was an innocent agent in the contribution transaction. We then discussed the leak to Time magazine of the fact that the White House had placed wiretaps on newsmen and White House staff people. The President asked me if I knew how this had leaked. I told him that I did not. He asked me who knew about it. I told him that Mr. Sullivan, Mr. Mark Felt, and Mr. Mar-dian were aware of it.

Hoover Termed Source

I told him that Sullivan had told me that he thought that director Hoover had told somebody about it shortly after it happened because Hoover was against it and that Sullivan said that he had heard that this information had gone to Rockefeller and in turn had come back from Governor Rockefeller to Dr. Kissinger. We then talked about the executive privilege statement and the President expressed his desire to get the statement out well in advance of the Water-gate hearings so that it did not appear to be in response to the Watergate hearings.

Before departing his office, he again raised the matter that I should report to him directly and not through Haldeman and Ehrlichman. I told him that I thought he should know that I was also involved in the post June 17th activities regarding Watergate. I briefly de-



The New York Times

Early arrivals waiting for the Watergate hearings to get under way yesterday morning

scribed to him why I thought I had legal problems, in that I had been a conduit for many of the decisions that were made and therefore could be involved in an obstruction of justice. He would not accept my analysis and did not want me to get into it in any detail other than what I had just related. He reassured me not to worry, that I had no legal problems. (I raised this on another occasion with the President, when Dick Moore was present.)

MEETING OF MARCH 1ST

The first meeting on this date and the afternoon meeting which occurred on March 1st related to preparing the President for his forthcoming press conference. The President asked me a number of questions about the Gray nomination hearings and facts that had come out during these hearings.

In particular I can recall him stating that there should be no problem with the fact that I had received the F.B.I. reports. He said that I was conducting an investigation for him and that it would be perfectly proper for the Counsel to the President to have looked at these reports. I did not tell the President that I had not conducted an investigation for him because I assumed he was well aware of this fact and that the so-called Dean investigation was a public relations matter, and

that frequently the President made reference in press conferences to things that never had, in fact occurred. I was also aware that often in answering Watergate questions that he had made reference to my report and I did not feel that I could tell the President that he could not use my name. There had been considerable adverse publicity stemming from the Gray hearings and the fact that Gray was turning over F.B.I. information to the Senate Judiciary Committee.

He also told me the F.B.I. Watergate materials should not be turned over by Gray. I informed him that I had a meeting several days prior with Mr. Sullivan who had been at the F.B.I. for many years and Sullivan had alluded to the fact that the F.B.I. had been used for political purposes by past Administrations. I cited a few examples that Mr. Sullivan had given me. The President told me to get this information from Sullivan. He also told me that I should gather any material I could gather regarding the uses and abuses of the F.B.I. by past Administrations so that we could show that we had not abused the F.B.I. for political purposes. The President told me that he was convinced that he had been wiretapped in 1968 and the fact that

De Loach had not been forthcoming indicated to the President that De Loach was probably lying. He told me that I should call Don Kendall, De Loach's employer, and tell him that De Loach had better start telling the truth because "the boys are coming out of the woodwork." He said this ploy may smoke De Loach out.

Hoover Aide Named

He also asked me who else might know about the bugging of his 1968 campaign, and I suggested that Mr. Tolson, Hoover's former assistant, might have some knowledge of it. He told me that he probably ought to call Mr. Tolson and wish him happy birthday or good health and possibly get some information from him when he talked to him.

It was during the days after this March 1st meeting with the President that the name Dean began coming increasingly to the forefront in the Gray confirmation hearings, and the rumblings were that there was going to be a situation where Dean could be called to the committee to testify and a number of Senators were anxious to use me as a vehicle to test executive privilege. On March 4th or 5th, I had a conversation with Ehrlichman in which I told him that I thought it would be very difficult to maintain a court test of executive privilege over me, when in fact I had only met with the President infrequently and had had very few conversations with him that would be protected. It was following this conversation with Ehrlichman that I began meeting and talking with the President, at his request, with ever increasing frequency.

The President instructed me to tell the Attorney General to cut off Gray from turning over any further Watergate reports to the Senate Judiciary Committee. He said this just had to cease.

MEETING OF MARCH 13TH

This was a rather lengthy meeting, the bulk of which was taken up by a discussion about the Gray hearings and the fact that the Senate Judiciary Committee

had voted to invite me to appear in connection with Gray's nomination. It was at this time we discussed the potential of litigating the matter of executive privilege and thereby preventing anybody from going before any Senate committee until that matter was resolved. The President liked the idea very much, particularly when I mentioned to him that it might be possible that he could also claim attorney/client privilege on me so that the strongest potential case on executive privilege would probably rest on the Counsel to the President.

I told him that obviously, this area would have to be researched. He told me that he did not want Haldeman and Ehrlichman to go before the Ervin hearings and that if we were litigating the matter on Dean, that no one would have to appear. Toward the end of the conversation, we got into a discussion of Watergate matters specifically. I told the President about the fact that there were money demands being made by the seven convicted defendants. And that the sentencing of these individ-

uals was not far off. It was during this conversation that Haldeman came into the office. After this brief interruption by Haldeman's coming in, but while he was still there, I told the President about the fact that there was no money to pay these individuals to meet their demands. He asked me how much it would cost. I told him that I could only make an estimate that it might be as high as a million dollars or more. He told me that that was no problem, and he also looked over at Haldeman and repeated the same statement.

He then asked me who was demanding this money and I told him it was principally coming from Hunt through his attorney. The President then referred to the fact that Hunt had been promised executive clemency. He said that he had discussed this matter with Ehrlichman and contrary to instructions that Ehrlichman had given Colson not to talk to the President about it, that Colson had also discussed it with him later. He expressed some annoyance at the fact that Colson had also discussed this matter with him.

The conversation then turned back to a question from the President regarding the money that was paid to the defendants. He asked me how this was done. I told him I didn't know much about it other than the fact that the money was laundered so it could not be traced and then there were secret deliveries. I told him I was learning about things I had never known before, but the next time I would certainly be more knowledgeable. This comment got a laugh out of Haldeman. The meeting ended on this note and there was no further discussion of the matter and it was left hanging just as I have described it.

MEETING ON MARCH 15TH

It was late in the afternoon after the President's press conference. The President was amazed and distressed that the press had paid so little attention to the fact that he made an historic announcement about Ambassador Bruce opening up the liaison office in Peking. He said he was amazed when the first question following

that announcement was regarding whether or not Dean would appear before the Senate Judiciary Committee in connection with the Gray hearings. The conversation then rambled into a discussion of the Hiss case.

It was during the afternoon of March 20th that I talked again with Dick Moore about this entire cover-up matter. I told Moore that there were new and more threatening demands for support money. I told him that Hunt had sent a message to me—through Paul O'Brien—that he wanted \$72,000 for living expenses and \$50,000 for attorney's fees and if he did not receive it that week, he would reconsider his options and have a lot to say about the seamy things he had done for Ehrlichman while at the White House. I told Moore that I had about reached the end of the line, and was now in a position to deal with the President to end the cover-up.

PHONE CONVERSATION OF MARCH 20TH

When the President called and we had a rather rambling discussion, I told him at the conclusion of the conversation that I wanted to talk with him as soon possible about the Watergate matter because I did not think that he fully realized all the facts and the implication of those facts for people at the White House as well as himself. He said that I should meet with him the next morning about 10 o'clock.

Before going in to tell the President some of these things, I decided I should call Haldeman because I knew that his name would come up in the matter. I called Haldeman and told him what I was going to do and Haldeman agreed that I should proceed to so inform the President of the situation.

MEETING OF MARCH 21ST

As I have indicated, my purpose in requesting this meeting particularly with the President was that I felt it necessary that I give him a full report of all the facts that I knew and explain to him what I believed to be the implication of those facts. It was my particular concern with the fact that the President did not seem to understand the implications of what was going on.

For example, when I had earlier told him that I thought I was involved in an obstruction of justice situation he had argued with me to the contrary after I had explained it to him. Also, when the matter of money demands had come up previously he had very nonchalantly told me that that was no problem and I did not know if he realized that he himself could be getting involved in an obstruction of justice situation by having promised clemency to Hunt. What I had hoped to do in this conversation was to have the President tell me that we had to end the matter now.

I began by telling the President that there was a cancer growing on the Presidency and that if the cancer was not removed that the President himself would be killed by it. I also told him that it was important that this cancer be removed immediately because it was growing more deadly every day. I then gave him what I told him would be a broad overview of the situation.

Highlights Described

I told him I did not know if Mitchell had approved the plans but I had been told that Mitchell had been a recipient of the wiretap information and that Haldeman had also received such information through Strachan. I then proceeded to tell him some of the highlights that had occurred during the cover-up. I told him that Kalmbach had been used to raise funds to pay these seven individuals for their silence at the instructions of Ehrlichman, Haldeman, and Mitchell and I had been the conveyor of this instruction to Kalmbach. I told him that after the decision had been made that Magruder was to remain at the re-election committee I had assisted Magruder in preparing his false story for presentation to the

grand jury. I told him that cash that had been at the White House had been funneled back to the re-election committee for the purpose of paying the seven individuals to remain silent.

I then proceeded to tell him that perjury had been committed, and for this cover-up to continue it would require more paying and more money. I told him that the demands of the convicted individuals were constantly increasing. I then told the President how this was just typical of the type of blackmail that the White House would continue to be subjected to and that I didn't know how to deal with it.

I also told the President that I thought that I would, as a result of my name coming out during the Gray hearings, be called before the grand jury and that if I was called to testify before the grand jury or the Senate committee I would have to tell the facts the way I know them. I said I did not know if executive privilege would be applicable to any appearance I might have before the grand jury.

I concluded by saying that

it was going to take continued perjury and continued support of these individuals to perpetuate the cover-up and that I did not believe it was possible to continue it; rather I thought it was time for surgery on the cancer itself and that all those involved must stand up and account for themselves and that the President himself get out in front of this matter. I told the President that I did not believe that all of the seven defendants would maintain their silence forever. In fact, I thought that one or more would very likely break rank.

After I finished, I realized that I had not really made the President understand because after he asked a few questions, he suggested that it would be an excellent idea if I gave some sort of briefing to the Cabinet and that he was very impressed with my knowledge of the circumstances but he did not seem particularly concerned with their implications.

It was after my presentation to the President and during our subsequent conversation the President called Haldeman into the office and the President suggested that we have a meeting with Mitchell, Haldeman and Ehrlichman to discuss how to deal with this situation. What emerged from that discussion after Haldeman came into the office was that John Mitchell should account for himself for the pre-June 17th activities and the President did not seem concerned about the activities which had occurred after June 17th.

Mitchell Move Seen

After I departed the President's office I subsequently went to a meeting with Haldeman and Ehrlichman to discuss the matter further. The sum and substance of that discussion was that the way to handle this now was for Mitchell to step forward and if Mitchell were to step forward we might not be confronted with the activities of those involved in the

White House in the cover-up. Accordingly, Haldeman, as I recall, called Mitchell and asked him to come down the next day for a meeting with the President on the Watergate matter.

In the later afternoon of March 21st Haldeman and Ehrlichman and I had a second meeting with the President.

[It] was a tremendous disappointment to me because it was quite clear that the cover-up as far as the White House was going to continue. I recall that while Haldeman, Ehrlichman and I were sitting at a small table in front of the President in his Executive Office Building that I for the first time said in front of the President that I thought that Haldeman, Ehrlichman and Dean were all indictable for obstruction of justice and that was the reason I disagreed with all that was being discussed at that point in time.

It had been my impression that Haldeman and Ehrlichman were going to try to get Mitchell to come forward and explain his involvement in the matter. This did not occur. Mitchell said that he thought that everything was going along very well with the exception of the posture of the President on executive privilege. He said that he felt that the President was going to have to come back down somewhat or it would appear he was preventing information from coming out of the White House.

F. Lee Bailey Mentioned

During lunch there was some continued conversation about the general problems. Mr. Mitchell raised the fact that F. Lee Bailey, who had been very helpful in dealing with McCord, had a problem that he would like to bring up. He then said that Mr. Bailey had a client who had an enormous amount of gold in his possession and would like to make an arrangement with the Government whereby the gold could be turned over to the Government without the individual being prosecuted for holding the gold. Mitchell was addressing his request for assistance to Haldeman but Haldeman was non-responsive and the matter was dropped.

The meeting with the President, Ehrlichman, Haldeman, Mitchell and me was again a general discussion of the Senate Watergate hearings situation and did not accomplish anything. Rather, it was a further indication that there would be no effort to stop the cover-up from continuing. I recall that Mitchell told the President that he felt that the only problem that he now had was the fact that he was asking for a public beating on his posture on executive privilege. Mitchell was not suggesting that members of the White House go to the Hill to testify, rather that some more cooperative position be developed to avoid the adverse publicity.

The meeting was almost exclusively on the subject of how the White House should posture itself vis-a-vis the Ervin committee hearings. There was absolutely no indication of any changed attitude and it was like one of many, many meetings I had been in before, in which the talks was of strategies for dealing with the hearings rather than any effort to get the truth out.

Following this meeting with the President, it was apparent to me that I had failed in turning the President around, but Ehrlichman and Haldeman began taking over with regard to dealing with a new problem, which had become John Dean, as they were aware that I was very unhappy about the situation.

On Friday, March 23d, Paul O'Brien called to tell me about Judge Sirica's reading McCord's letter in open court. I then called Ehrlichman to tell him about it. He said he had a copy of the letter.

After my conversation with Ehrlichman, the President called. Referring to our meeting on March 21st and McCord's letter, he said: Well, John, you were right in your prediction." He then suggested I go up to Camp David and analyze the situation. He did not instruct me to write a report, rather he said to go to Camp David, take your wife and get some relaxation. He then alluded to the fact that I'd been under some rather intense pressure lately. But he had been through this all his life and you can't let it get to you. He said that he was able to do his best thinking at Camp David, and I should get some rest and then assess where we are and where we go from here and report back to him. I told him I would go.

My wife and I arrived at Camp David in the midafternoon. As we entered the cabin in which we were staying the phone was ringing. The operator said it was the President calling but Haldeman came on the phone. Haldeman said that "if I was there I should spend some time writing a report on everything I knew about the Watergate. I said I would do so. I asked him if it was for internal use or public use. He said that would be decided later.

No Improvement

I spent the rest of the day and the next day thinking about this entire matter. I reached the conclusion, based on earlier conversations I had with Ehrlichman, that he would never admit to his involvement in the cover-up. I didn't know about Haldeman, but I assumed that he would not because he would believe it a higher duty to protect the President. The more I thought about it the more I realized that I should step forward because there was no way the situation was going to get better—rather it would only get worse. My most difficult problem was how I could end this mess without mortally wounding the President.

I called Mr. Moore and talked with him about it. We talked about a Presidential speech, where the President would really lay the facts out, we talked about immunity for everyone involved; we talked about a special Warren type commission that would put the facts out; we talked about some half measures that might satisfy the public interest; but we both realized that nothing less than the truth would sell.

On Sunday evening, March 25th, I was informed that the L. A. Times and The Washington Post were going to print a story that Magruder and I had prior knowledge of the June 17th bugging of the Democratic National Committee. I considered the story libelous then, as I do today.

Libel Suit Weighed

On Monday morning, March 26th, I had a conversation with Haldeman about the story in The L.A. Times. I told him I was prepared to file a libel suit and had retained a lawyer. I told him that he knew that I had not known of the June 17th Watergate break-in in advance, that my knowledge of the entire matter ended with the second meeting in Mitchell's office. I told Haldeman that Magruder knew that I had no prior knowledge, but I didn't know if he would admit it publicly. Haldeman concurred in the fact that I had no prior knowledge and suggested I call Magruder and tape his conversation. I did call Magruder and by using a dictaphone held to the receiver, record the call. The long and short of this conversation was that Magruder acknowledged that the newspaper accounts were a "bum rap" for me because I had not had prior knowledge of the break-in.

March 28th, Haldeman called me at Camp David and requested that I return to Washington. He told me that he was meeting with Mitchell and Magruder and that they wished to meet with me about my knowledge of the meetings in Mitchell's office.

I went to meet with Mitchell and Magruder. They told me they wished to talk to me about how I would handle any testimonial appearances regarding the Jan. 27th and Feb. 4th meetings which had occurred in Mitchell's office.

Magruder said that it had been I who had suggested that the meetings be treated as dealing exclusively with the election law and that explained my presence. I told them that there was no certainty that I would be called before the grand jury or the Senate committee. That that if I were called, I might invoke Executive privilege, so

Continued on Following Page

Continued From Preceding Page

the question of my testimony was still moot. They were obviously both disappointed that I was being reluctant in agreeing to continue to perpetuate their earlier testimony.

On either March 28th or 29th, Mr. Krogh came to my office. He said he had come to express sympathy for me as a result of the adverse publicity I had received during the Gray hearings. He then began telling me that he had not himself had a good day since his own confirmation hearings and that he had been haunted by his experiences at the White House.

I told Krogh that I thought that there was a very likely possibility that the Senate Watergate committee could stumble into the Ellsberg burglary. I told him that there were documents in the possession of the Justice Department which had been provided by the C.I.A. in con-

See Schlesinger letter, NY 4 Jun 73,

nection with the Watergate investigation which contained pictures of Liddy standing in front of Mr. Ellsberg's doctor's office in California. I told him that I had learned from the C.I.A. that these pictures had been left in a camera returned by Hunt to the C.I.A. and the C.I.A. had developed the pictures. I said I did not believe that the Justice Department knew what the pictures were all about but that any investigator worth his salt would probably track down the incident as a result of the pictures. I told him that Ehrlichman had requested that I retrieve the documents from the Justice Department and get them back to the C.I.A. where they might be withheld from the committee investigations but the C.I.A. had been unwilling to do it.

Krogh was very distressed to hear this news but said that maybe it was for the best in that he had personally been haunted by this incident for so long that he would like to get it out in the open. I asked him if he had received his authorization to proceed with the burglary from Ehrlichman. Krogh responded that no, he did not believe that Ehrlichman had been aware of the incident until shortly after it had occurred: Rather, he had received his orders right out of the "Oval Office." I was so surprised to hear this that I said, "You must be kidding." And he repeated again that he had received his instructions out of the Oval Office.

April 2d my attorneys went to the Government prosecutors and told them that I was willing to come forward with everything I knew about the case.

As I began explaining what I knew it was evident that the prosecutors had no conception of how extensive the cover-up was so I tried to provide them with all the details that I could remember. Also, as the conversations regarding the cover-up began to get into more and more specifics we moved into areas that came closer and closer to the President, but prior to April 15th I did not discuss any of the areas of Presidential involvement.

I felt that I should tell Haldeman that I was going to meet with the prosecutors so I called him. He said that I should not meet with the prosecutors because, as he said, "Once the toothpaste is out of the tube, it's going to be very hard to get it back in."

During the week of April 9th to April 14th, I had several conversations with Ehrlichman and Haldeman. I recall some discussions, however, regarding getting Mitchell to step forward. The theory was — "if Mitchell takes the rap the public will have a high level person and be satisfied and the matter will end."

On Monday April 9th, Mitchell called me and told me he was coming to Washington and wanted to meet with me.

The sum and substance of the meeting was that if and when I were called to testify I would testify fully and honestly. Mitchell said that he understood and did not suggest that I do otherwise. He did, however, believe that my testimony would be

very harmful to the President and said that he felt that I should not testify if at all possible.

There were other discussions that week in which Haldeman and Ehrlichman talked about pinning the entire matter on Mitchell.

The more I told the prosecutors about the cover-up the more interested they became in it. At this time, Haldeman and Ehrlichman were still unaware of my direct dealings with the prosecutors.

I did not tell them at that point that I had had private meetings with the prosecutors or that I had told the prosecutors of the extent of involvement of Haldeman and Ehrlichman [but] I was quite confident that I had gotten the message through to Ehrlichman and Haldeman that they had a serious problem themselves and I had put them on final notice that I wasn't playing the cover-up game any longer.

I realized that indeed my message had gotten through, about one o'clock on Saturday night or Sunday morning, I received a call from Mr. Shaffer. He said that the prosecutor had called him and that the Attorney General had called Mr. Peterson and them and wanted a full report on everything that was going on before the grand jury and where the grand jury was headed. The meeting with the Attorney General was to occur about 2 A.M. at the Attorney General's home. The Attorney General was being summoned to the President's office and the next morning to discuss the entire matter. I told Mr. Shaffer that I had hoped to tell the President personally that I had gone to the prosecutors several weeks ago.

I then wrote out a message for the President. In short, I told the President that I hoped he did not interpret my going to the prosecutors as an act of disloyalty, that I would meet with him if he wished to discuss the matter with me. Within forty-five minutes of sending this message I had a call from the White House operator informing me that the President wished to meet me at 9:00 P.M.

MEETING WITH THE PRESIDENT APRIL 15TH

The President was very cordial when we met. I told the President that I had gone to the prosecutors. And, that I did not believe that this was an act of disloyalty but, rather in the end it would be an act of loyalty. I informed the President that I told the prosecutors of my own involvement and the involvement of others. The President almost from the outset began asking me a number of leading questions, which made me think that the conversation was being taped and that a record was being made to protect himself.

I also recall that the conversation turned to the matter of Liddy not talking. He said something about Liddy was waiting for a signal and I told him that possibly he was waiting for a signal from the President.

It was during this part of the conversation that the President picked up the telephone and called Henry Peterson and pretended with Peterson that I was not in the room but that the matter of Liddy's coming forward and talking had arisen during our conversation. The President relayed to Peterson that if Liddy's lawyer wanted to see him to get a signal that the President was willing to do this. The President also asked me about Peterson and I told him if anyone could give him good advice Henry Peterson could.

Toward the end of the conversation the President recalled the fact that at one point we had discussed the difficulty in raising money

Senate Votes to Double Funds for Ervin Panel

WASHINGTON, June 25 (AP)—As John W. Dean 3d testified before the Senate Watergate committee today, the Senate by voice vote doubled to \$1-million the money it had authorized for committee expenses.

Senator Sam J. Ervin Jr., North Carolina Democrat who is the committee chairman, told the Senate that the request for more money had the unanimous approval of the seven committee members. In February, the Senate approved \$500,000 for the committee.

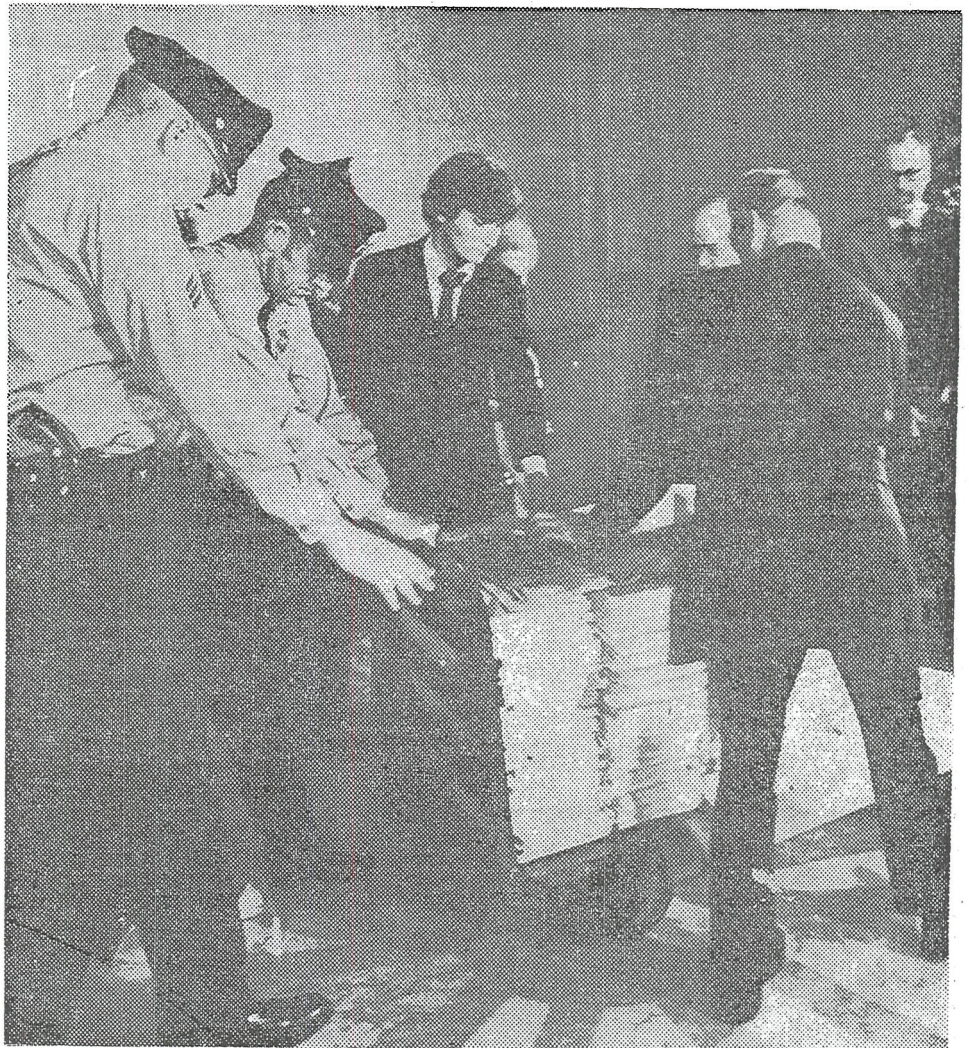
and that he had said that one million dollars was nothing to raise to pay to maintain the silence of the defendants. He said that he had, of course, only been joking when he made that comment. As the conversation went on, and it is impossible for me to recall anything other than the high points of it, I became more convinced that the President was seeking to elicit testimony from me and put his perspective on the record and get me to agree to it. The most interesting thing that happened during the conversation was, very near the end, he got up out of his chair, went behind his chair to the corner of the Executive Office Building office and in a barely audible tone said to me, he was probably foolish to have discussed Hunt's clemency with Colson. I do not recall that I responded. The conversation ended shortly thereafter.

MEETING WITH THE PRESIDENT—APRIL 16TH

I received word on Monday morning, April 16th, that the President had requested I come to the Oval Office. I went into Mr. Steve Bull's office.

Mr. Bull told me I would have to wait a few minutes because the President was in another meeting. A few minutes later Haldeman and Ehrlichman emerged laughing from the President's office and when they saw me in Mr. Bull's office their faces dropped. They said hello, put on a serious look and departed. I went into the President's office.

The President told me that he had been thinking about this entire matter and thought



The New York Times

Senate guards and staffers wheeling in copies of the prepared statement of John W. Dean 3d, which were then distributed to reporters at the scene.

it might be a good idea if he had in his drawer a letter from me requesting that he accept my resignation or in the alternative an indefinite leave of absence. He said that he had prepared two letters for my signature and he would not do anything with them at this time but thought it would be good if he had them.

After reading the letters, I looked the President squarely in the eyes and told him that I could not sign the letters. He was annoyed with me, and somewhat at a loss for words. He said that maybe I would like to draft my own letter. I told him that the letters that he had asked me to sign were virtual confessions of anything regarding the Watergate. I also asked him if Ehrlichman and Haldeman had signed letters of resignations. I recall that he was somewhat surprised at my asking this and he said no they had not but they had given him a verbal assurance to the same effect. I then told him that he had my verbal assurance to the same effect.

It was a tense conversation. As I sat there talking with the President, I had very much on my mind the laughter in Ehrlichman's and Haldeman's voices when they walked out of the office. The President said that he would like me to draft my own letter and would also like a suggested draft letter for Haldeman and Ehrlichman or maybe a form letter that everyone could sign.

The President called me to come to his F.O.B. office about 4:00 that afternoon. He asked me if I had drafted a letter. I said that I had.

I then told him that I would not resign unless Haldeman and Ehrlichman resigned. I told him that I was not willing to be the White House scapegoat for the Watergate. He said that he understood my position and he wasn't asking me to be a scapegoat. The gist of the statement was twofold: "First the President had learned of new facts in the case over the weekend and as a result of this information had directed Henry Peterson to take charge and leave no stone unturned; secondly, that he had accepted requests from Haldeman, Ehrlichman and Dean to be placed on leave of absence. The President said virtually nothing about the statement

and after reading it told me to talk with Len Garment, who he said was also preparing a draft.

After departing from the President's office, I called Mr. Garment and told him that the President had requested that I give him my input on the draft he was developing. Mr. Garment said he would come to my office, which he did. I gave him a copy of the draft statement, and he told me that he and I were thinking along similar lines, that is, that Haldeman, Ehrlichman and Dean had to resign. I told him I was ready and willing but only if Haldeman and Ehrlichman resigned as well.

April 17th Call From the President

On April 17, the President called and informed me that he would issue a statement very shortly. That statement of April 17 is a matter of public record. I would only like to point out one or two items about the statement. The President said that on March 21, as a result of serious charges which came to his attention, some of which were publicly reported, began an intense new inquiry into the whole matter. I would merely refer the committee's attention back to my earlier testimony as to what the President did after my report to him on March 21 as to the White House's deep involvement in the cover-up. In short, the President, Haldeman and Ehrlichman commenced to protect themselves against the unraveling of the cover-up.

Secondly, I would also like to raise the paragraph that had been put in the statement that no one in a position of major importance in the Administration should be given immunity from prosecution. While this statement



The New York Times
Democratic Watergate committee members, Senators Herman E. Talmadge of Georgia, left; Daniel K. Inouye of Hawaii, center, and Joseph M. Montoya of New Mexico, listening to President's former counsel, John W. Dean 3d, reading his statement yesterday.

went virtually unnoticed in the public, it was very evident to me what the President was saying: Dean will not be a witness against anyone so the Government might as well stop dealing with him.

Report of a Tape

On Monday night, April 16th, I had learned that the President had informed the Government that he allegedly had taped a conversation in which I had told him I was seeking immunity from the Government in exchange for testimony on Haldeman and Ehrlichman. I have no recollection of ever telling the President that I was so negotiating with the Government and the President told me very specifically that he did not want to do anything to interfere with any negotiations I was having with the Government.

When I learned this from my attorney I suggested that he request that the Government call for the tape and listen to the tape because I told him it must be a reference to the meeting I had with the President on April 15th and if that conversation were taped the Government would have a pretty good idea of the dimensions of the case they were dealing with. I was referring to the fact that the President had mentioned the million dollar conversation and the fact that he had talked to Colson about clemency for Hunt.

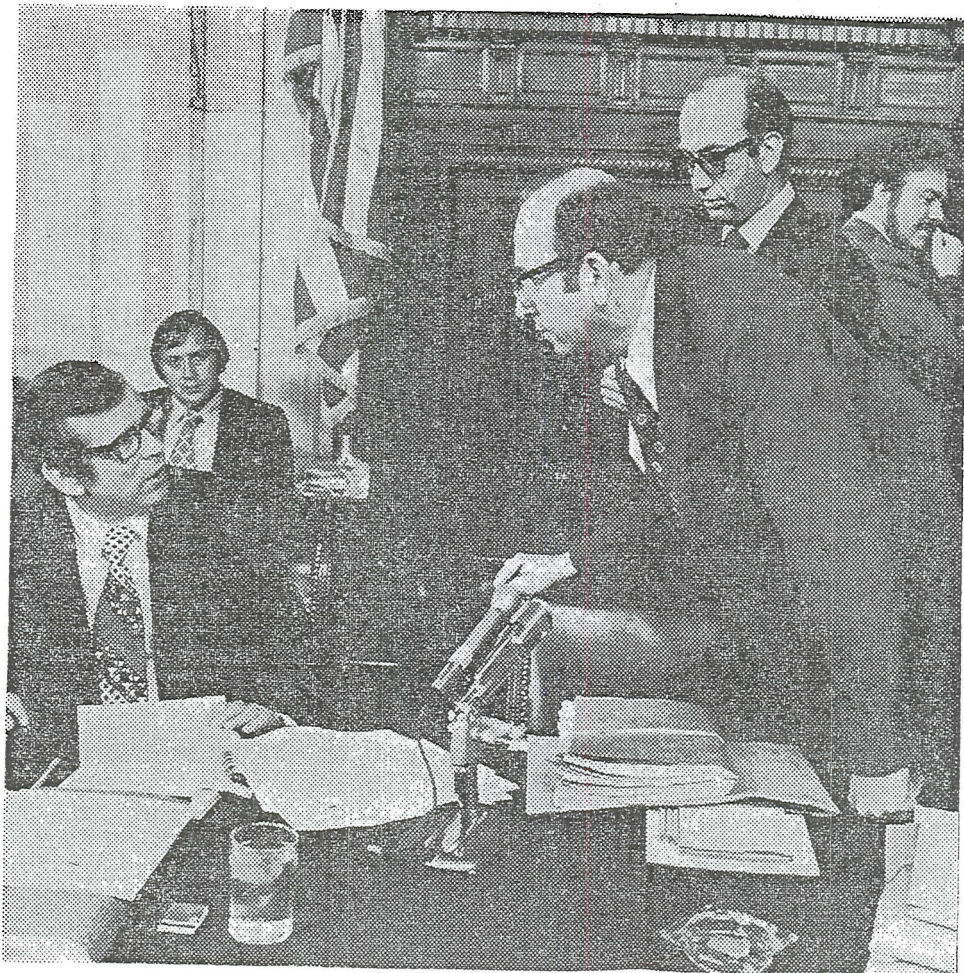
I do not in fact know if such a tape exists but if it does and has not been tampered with and is a complete transcript of the entire conversation that took place in the President's office, I think that this committee should have that tape because I be-

lieve that it would corroborate many of the things that this committee has asked me to testify about.

When the President issued his statement of April 17th, I decided that indeed I was being set up and that it was time that I let the word out that I would not be a scapegoat. Accordingly, on April 19th, I issued a statement to that affect.

On April 22d, Easter Sunday, the President called me to wish me a happy Easter. It was what they refer to at the White House as a "stroking" call.

On April 30th, while out of the city, I had a call from my secretary in which she informed me that the wire services were carrying a story that my resignation had been requested and accepted and that Haldeman and Ehrlichman were also resigning.



The New York Times/George James
Samuel Dash, chief counsel to the Watergate committee, leaning over to exchange a word with Senator Howard H. Baker Jr., Republican of Tennessee, committee member.

Presidential Request Related

On or about Sept. 9th or 10th, I received a Presidential request from both Haldeman and Colson. The President felt that the best defense to the actions being pursued by the Democrats, and the charges and implications that were stemming from the lawsuits being filed by the Democrats, was our own counter-offensive with our own series of lawsuits against the Democrats. Colson called me and reported that he had just come from the President's office and that the President wanted action on this as quickly as humanly possible. I informed Mr. Colson that I was working on it but that I wasn't going to suggest filing any lawsuit or taking any action that was not well founded.

It was also about this time, later July-early September, that I learned during a meeting in Mitchell's office that Mr. Roemer McPhee was having private discussions with Judge Richey regarding the civil suit filed by the Democrats. I was told by Parkinson, and later McPhee, that Judge Richey was going to be helpful whenever he could. I subsequently talked with Mr. McPhee about this, as late as March 2d of this year, when he told me he was going to visit the judge in the judge's rose garden over the weekend to discuss an aspect of the case.

On Sept. 15th the Justice Department announced the handing down of the seven indictments by the Federal grand jury. Late that afternoon I received a call requesting me to come to the President's Oval Office.

The President told me that Bob [Haldeman] had kept him posted on my handling of the Watergate case, told me I had done a good job and he appreciated how difficult a task it had been and the President was pleased that the case had stopped with Liddy. I told that I thought that there was a long way to go before this matter would end and that I certainly could make no assurances that the day would not come

when the matter would start to unravel.

Early in our conversation the President said to me that former F.B.I. director Hoover had told him shortly after he had assumed office in 1969 that his campaign had been bugged in 1968. The President said that at some point we should get the facts out on this and use this to counter the problems that we were encountering.

The President asked me when the criminal case would come to trial and would it start before the election. I told the President that I did not know. I said that the Justice Department had held off as long as possible the return of the indictments, but much would depend on which judge got the case. The President said that he certainly hoped that the case would not come to trial before the election.

The President then asked me about the civil cases that had been filed by the Democratic National Committee and Common Cause. I then told the President that the lawyers at the re-election committee were very hopeful of slowing down the civil suit filed by the Democratic National Committee because they had been making ex parte contacts with the judge handling the case and the judge was very understanding and trying to accommodate their problems. The President was pleased to hear this and responded to the effect that "well that's helpful".

The conversation then moved to the press coverage of the Watergate incident and how the press was really trying to make this into a major campaign issue. At one point in this conversation I recall the President telling me to keep a good list of the press people giving us trouble, because we will make life difficult for them after the election.

I.R.S. 'Tool' Discussed

The conversation then turned to the use of the Internal Revenue Service to attack our enemies. I recall telling the President that we had not made much use of this because the White House didn't have the clout to have it done, that the Internal Revenue Service was a rather Democratically oriented bureaucracy and it would be very dangerous to try any such activities. The President seemed somewhat annoyed and said that the Democratic Administrations had used this tool well and after the election we would get people in these agencies who would be responsive to the White House requirements.

The conversation then turned to the President's post election plans to replace people who were not on our team in all the agencies. It was at this point that Haldeman, I remember, started taking notes and he also told the President that he had been developing information on which people should stay and which should go after the election.

I would next like to turn to the White House efforts to block the Patman committee hearings. The focus of the investigation at the outset was the funding of the Watergate incident, and other possible illegal funding that may have involved banking violations. The White House concern was twofold: First, the hearings would result in more adverse pre-election publicity regarding the Watergate, and second, they just might stumble into something that would start unraveling the cover-up.

On Sept. 25th, Chairman Patman announced that he would hold a vote on October 3d regarding the issuing of subpoenas to witnesses.

In discussing it with Haldeman I asked him how he thought the Patman hearings might be turned off. He suggested that I might talk with Secretary Connally about the matter because Connally would know Pat-

man as well as anybody. I called Secretary Connally and told him the reason I was calling. He said that the only thing he could think of, the only soft spot that Patman might have, was that he had received large contributions from a Washington lobbyist and had heard rumors that some of these may not be reported.

Matter Was Dropped

I discussed this matter with Bill Timmons and we concluded that several Republicans would probably have a similar problem so the matter was dropped. At this time I cannot recall the name of the lobbyist.

A number of people worked on getting the votes necessary to block the Patman committee hearings. Mr. Timmons discussed the matter with the House Republican leaders who agreed to be of assistance.

Congressman Garry Brown had been working with several members of the Democratic side of the Patman committee to assist in voting against the hearings or as an alternative not to appear for the vote. Timmons informed me that he was also in direct contact with one of the leaders of the Southern delegation who was being quite helpful in persuading the Southerners on the committee not to vote for the subpoenas or in the alternative not to appear at the meeting on Oct. 3d.

Also, Mitchell reported to me that he had been working with some people in New York to get the New Yorkers on the committee to vote against the hearings. He told me, and I cannot recall now which members of the New York delegation he referred to, that he had assurances that they would either not show up or would vote against the hearings. On Oct. 3d the vote was held and the subpoenas were defeated by a vote of 20 to 15 and another sign of relief was made at the White House that we had leaped one more hurdle in the continuing cover-up.

Segretti Is Named

While the Segretti matter was not directly related to the Watergate, the cover-up of the facts surrounding Mr. Segretti's activities was consistent with other parts of the general White House cover-up which followed the Watergate incident.

I first heard of Mr. Segretti when Gordon Strachan called me in late June and told me that the F.B.I. had called a friend of his, by the name of Donald Segretti, and requested to interview him. Strachan gave me a very general description of Segretti's activities and said that he was a "dirty tricks" type operator who was being paid by Mr. Kalmbach. He also informed me that Mr. Chapin had been involved in hiring Segretti.

Several days after Segretti's F.B.I. interview, he called me and said he told the F.B.I. everything he knew about Mr. Hunt and the fact that he had no knowledge of the Watergate incident and that the agents had not pressed him in a manner that required him to reveal the names of Strachan, Chapin, and Kalmbach.

I received a call from Mr. Chapin who indicated that Segretti was very concerned about the fact that he was being called before a Federal grand jury in Washington investigating the Watergate. And that he was concerned again that he might have to reveal the names of Strachan, Chapin, and Kalmbach.

After my conversation with Chapin, I called Mr. Peterson at the Department of Justice and explained the problem. I told Peterson that to the best of my knowledge Segretti had no involvement in the Watergate incident but he had had dealing with Hunt in connection with some campaign activities he had been performing for the White House. I also informed him that he was being paid by the President's personal at-

torney, Mr. Kalmbach, and that he had been recruited by Chapin and Strachan. I said that these facts, if revealed, would be obviously quite embarrassing and could cause political problems during the waning weeks of the election. Mr. Peterson said that he understood the problem.

How Names Came Out

I later learned from Segretti that the names had come out during the grand jury appearance and I had a discussion later with Peterson also on the subject in which he told me that Mr. Silbert had tried to avoid getting into this area and in fact did not ask him the question which resulted in his giving the names, rather that a grand juror had asked the question despite the fact that the prosecutors had tried to gloss over it.

I had by this time learned the full story, that in fact Haldeman, in a meeting with Kalmbach, had approved Segretti's activities and authorized Kalmbach to make the payments to Segretti. In discussing this with Chapin and Strachan before their appearance, they both had great concern about revealing Haldeman's involvement. In fact, I recall that Strachan came into my office and said that he would, if necessary, perjure himself to prevent involving Haldeman in this matter.

On Oct. 10, 1972, an article based on leaked F.B.I. information reported the Segretti story for the first time publicly. Following the Oct. 10th story there commenced a series of stories involving Chapin, Strachan, Kalmbach, and, later, Haldeman. These stories created a new frenzy in the White House press office. On Sunday, Oct. 15th I went to the White House where a meeting was in session in the Roosevelt room. In attendance at the meeting were Ehrlichman, Ziegler, Buchanan, Moore, and Chapin. The purpose of the meeting was to prepare Ziegler for his press briefings on the Segretti-related stories.

Like Other Sessions

I might also add that this session was not unlike many other sessions that had preceded it and that were to follow it in preparing Ziegler to meet with the White House press corps. It would, however, take me another 200 pages to give that story.

As the press accounts of Segretti's activities lingered on after the election as well as the continuing Watergate stories, there was serious discussion about putting the facts out. In late November, I recall a conversation with Haldeman in his office. I told him that I thought the then pending trial would be put back into a grand jury and it was very likely that any reconvened grand jury would get into questions of obstruction of justice which would lead right to us.

Haldeman said that the President wished, now that the election was over, to get rid of the Watergate and related matters by laying them open but based on what I had just told him he said it doesn't seem to be a very viable option.

It was the first week of December that Mitchell called me and said that we would have to use some of the \$350,000 fund to take care of the demands that were being made by Hunt and the others for money. He indicated that the money that was taken out would be returned in order that the fund could be made whole again. He asked me to get Haldeman's approval.

I called Haldeman and described the situation in full to him and that I had told Mitchell that I was very reluctant to see White House money used. I told Haldeman that I didn't think this was good idea to further involve the White House in raising money for these men but I frankly had no answer. Haldeman said he did not like it either, but since we had the assurance that the money

would be returned, I should inform Strachan that he could make the delivery of the money to the committee.

I do not recall how much money was delivered by Strachan but I believe it was either \$40,000 or \$70,000.

It was sometime shortly before the trial when the demands reached the crescendo point once again. O'Brien and LaRue came to my office and told me the seriousness of the problem. Subsequently, Mitchell called me and told me that once again I should ask Haldeman to make available the necessary funds. I told him I thought it was time to get the entire money out of the White House rather than continue as we were with, every few weeks, further bites being taken out of the apple.

After we discussed the matter Haldeman said send the entire damn bundle to them but make sure that we get a receipt for \$350,000. After receiving my instructions from Haldeman I called Strachan and told him that he was to deliver the remainder of the money to LaRue but that he was to make certain that he got a receipt for \$350,000. Strachan later told me that LaRue refused to give him a receipt.

With each of these deliveries I am only aware of the fact that money was delivered to LaRue by Strachan and have no knowledge of how LaRue in turn delivered it to those who were making demands upon the committee, nor do I know how much, in fact, was paid.

O'Brien told me that Hunt was quite upset and wished to plead guilty but before he did so he wanted some assurances from the White House that he would receive executive clemency. O'Brien told me that Hunt would only take the assurances from Colson.

On the morning of Jan. 3d, Colson called me. I told Mr. Colson that I was aware of the fact that Bittman wanted to discuss the matter of executive clemency for Hunt and that Hunt would only take assurance from him [Colson].

I next met with Ehrlichman told him about the situation and he thought that



The New York Times

Mrs. John W. Dean 3d arriving at hearing.

Colson should meet with Bittman.

In trying to reconstruct as best as I can recall what occurred, there was a meeting in Ehrlichman's office on Jan. 3d, after Mr. Colson had had a conversation with Bittman about Hunt's potential for executive clemency. I recall that when Colson came to the meeting with Ehrlichman he was extremely shaken, which was unlike Colson. He was not specific in his arguments to Ehrlichman but said that he felt it was imperative that Hunt be given some assurances of executive clemency. The meeting in Ehrlichman's office did not last long and Ehrlichman said that he would have to speak with

the President. Ehrlichman told Colson that he should not talk with the President about this. On Jan. 4th, I learned from Ehrlichman that he had given Colson an affirmative regarding clemency for Hunt.

After the meeting in Ehrlichman's office, Colson told me that although Ehrlichman had told him that he [Colson] should not discuss this matter with the President, that he, in fact, thought it was so important that he had taken it up with the President himself.

As I shall state later, the President himself raised this subject on two occasions with me, and told me that he had discussed the matter of executive clemency for Hunt with both Ehrlichman and Colson. The President raised this with me on March 13th, 1973, and April 15th, 1973.

White House Plans for Perpetuating the Cover-Up Throughout the Senate Watergate Investigation

Even before the Watergate criminal trial in January of this year, there had been press reports and rumors that the Senate was planning independent hearings on the Watergate and related matters. The White House Congressional relations staff reported that the subject of Watergate hearings was being discussed in the Senate Democratic Policy Committee, but they did not know the substance of those discussions. I was made aware of the interest of Ehrlichman and Haldeman in the prospects of such hearings because they had discussed it with me, and Bill Timmons told me they had discussed it with him.

On Dec. 13, 1972, Timmons informed me that Senator Jackson was coming to the White House for a meeting with the President. Timmons said that Senator Jackson was a member of the Senate Democratic Policy Committee and had an excellent rapport with the President. Timmons asked me what I thought about having the President inquire of Senator Jackson regarding the potential of a Senate inquiry into the Watergate. I responded that I thought it was a good idea, but would have to check.

Jackson Did Not Know

I learned that day from Timmons, who later met with Senator Jackson, that the Senator did not know what the Senate Democratic Policy Committee was going to do about the Watergate. I do not know if the President discussed this subject with Senator Jackson.

Timmons continued to report to Haldeman and me that there were rumblings on the Hill that the Senate was going to proceed with hearings. Senator Kennedy's Subcommittee on Administrative Practices and Procedures had been conducting an investigation for several months, but it was uncertain as to whether they would proceed. It was learned in late December/early January that Senator Mansfield was pushing hard for Watergate hearings, but there was a debate as to who should handle the hearings. On Jan. 5th or 6th, it was re-

ported in the press that Senator Mansfield had sent letters to Senator Eastland and Senator Ervin regarding the holding of hearings. Before that letter became public, however, both Wally Johnson and Fred LaRue had informed me that they had talked with Senator Eastland.

The White House wanted Senator Eastland to hold such hearings because they felt that Senator Eastland would be friendly and that the White House had more friends on the Judiciary Committee than on Senator Ervin's Government Operations Committee. I was told that the White House Congressional relation staff was doing what it could to get the hearings before Senator Eastland's committee. On Jan. 11th of this year, the Senate Democrats formally voted that Senator Ervin would head the inquiry into the Watergate incident and released matters, and I must add, much to the displeasure of the White House.

On Feb. 5th, 1973, the chairman introduced his resolution to create this committee. An advance copy of the resolution was forwarded to me by Timmons and I was subsequently required to attend a luncheon meeting with Ehrlichman, Timmons and Johnson to discuss the resolution.

Amendments Offered

I was asked what I thought about the resolution and did I have any suggested amendments that the Republicans might offer. I had not had an opportunity to study the resolution closely so I re-read it and offered a few suggestions off the top of my head: That it be broadened to cover other elections than the 1972 Presidential campaign: That the minority members have adequate staff: That it be bipartisan with equal representation of the Republicans and Democrats, and that the minority members have the power to call for an executive session when they believed it necessary. Wally Johnson indicated that he could get someone at the Justice Department to draft amendments and that he and Timmons would peddle them to friendly Republicans.

I later had discussions with Haldeman and Ehrlichman about the Senate hearings and they felt that it was time to develop a strategy for dealing with the Senate situation.

We had made it through the trial without any problems but the Senate hearings were a new and possibly larger problem. Accordingly, I suggested that there be a meeting called where these matters could be discussed. I also suggested that we might call on Mr. Bryce Harlow. Ehrlichman, Haldeman and Mitchell all agreed that Mr. Harlow's counsel would be most helpful. Accordingly, I had my secretary schedule a meeting in Ehrlichman's office on Feb. 6th, 1973.

Prior to this meeting, but after my meeting with the President in September when he had mentioned to me that Mr. Hoover had told him that he [the President] had been bugged during his 1968 campaign, the thought of getting

this information out had been discussed. I can recall discussing it with Ehrlichman and Haldeman, and in turn, discussing it with Mitchell. Haldeman and Ehrlichman wanted Mitchell to get the information from Mr. De Loach.

Met in Ehrlichman Office

The meeting assembled in Ehrlichman's office. Those present were Ehrlichman, Haldeman, Mitchell, Harlow, Moore and myself. When Mitchell arrived, he reported that there had been some surveillance by the Johnson Administration, but De Loach was unaware of a bugging or wiretap.

The meeting then turned to a general discussion of the proposed amendments and Timmons was called for from the Congressional leadership meeting that was then in session in the Cabinet Room. Timmons reported that the Senate was going to begin debate on Senator Ervin's resolution that afternoon. Timmons was instructed to request Senator Hugh Scott to come to his office after the leadership meeting and I was instructed to go to Mr. Timmons's office to explain the amendments to the resolution to Senator Scott. I was also told that I should tell the Senator to raise the 1968 bugging incident as a reason to expand the scope of the resolution to prior Presidential elections.

On Feb. 7th, Timmons informed me that the White House amendments had been virtually rejected out of hand and the resolution adopted 77 to 0. Timmons told me he had discussed with Haldeman the possibilities of suggesting names for the Republican side of the select committee with Senator Scott and Scott seemed receptive. On Feb. 8th, the members of this committee were named and I recall Timmons telling me that Haldeman had "chewed him out," but Timmons told me Scott had never given him a chance to make any recommendation. I received a call from Ehrlichman in San Clemente telling me that he wanted Mr. Moore and me to come to California that night so

that he could discuss in full detail the problems of how to deal with the forthcoming Senate hearings.

The La Costa Meetings

Everyone was staying at the La Costa Resort Hotel, south of San Clemente. The meetings with Haldeman and Ehrlichman, Moore and myself ran for two days, and I would estimate they involved between 12 to 14 hours of discussion.

What had happened by this point in time was that the cover-up had become a way of life at the White House, and having made it to this point, those involved were becoming careless and more open about it. Also, the Senate was different than the courts, grand jury, F.B.I., and the like that had been dealt with earlier. It was realized that it was going to take an all out effort by the White House to deal with the Senate inquiry, because of the scope of the resolution, the composition of the committee, the investigative powers

of the committee, and the general feeling that the Senate was a hostile world for the White House. Haldeman and Ehrlichman were disappointed that the efforts to influence the Senate resolution creating the select committee had failed, as well as the White House efforts to recommend members to the select committee. Thus, the focus of the discussion was how to deal with the committee, henceforth.

It was during the morning meeting in Ehrlichman's office at San Clemente that there was a discussion of the members of this committee. Ehrlichman said that the White House could not look for any help from the Democrats. I recall that when we were discussing the Democratic members of the committee, and I read from the Congressional Directory the data on Senator Inouye, Ehrlichman said that his name is pronounced "ain't no way" and then said, indeed, there ain't-no-way he's going to give us anything but problems.

The Republican members of this committee were also discussed in that morning meeting. It was Ehrlichman who was doing most of the assessing. But occasionally, Haldeman would add a comment. Senator Weicker was an independent who could give the White House problems. Senator Gurney would help the White House and would not have to be told to do so.

Senator Baker was an unknown and neither Haldeman nor Ehrlichman knew which way he might go. I might add that in a subsequent discussion I had with the President he also reached a similar conclusion regarding the Republicans. He thought that Senator Baker might help, but was not sure. He was confident, however, that Senator Gurney would protect the White House and would do so out of political instinct and not have to be persuaded to do so.

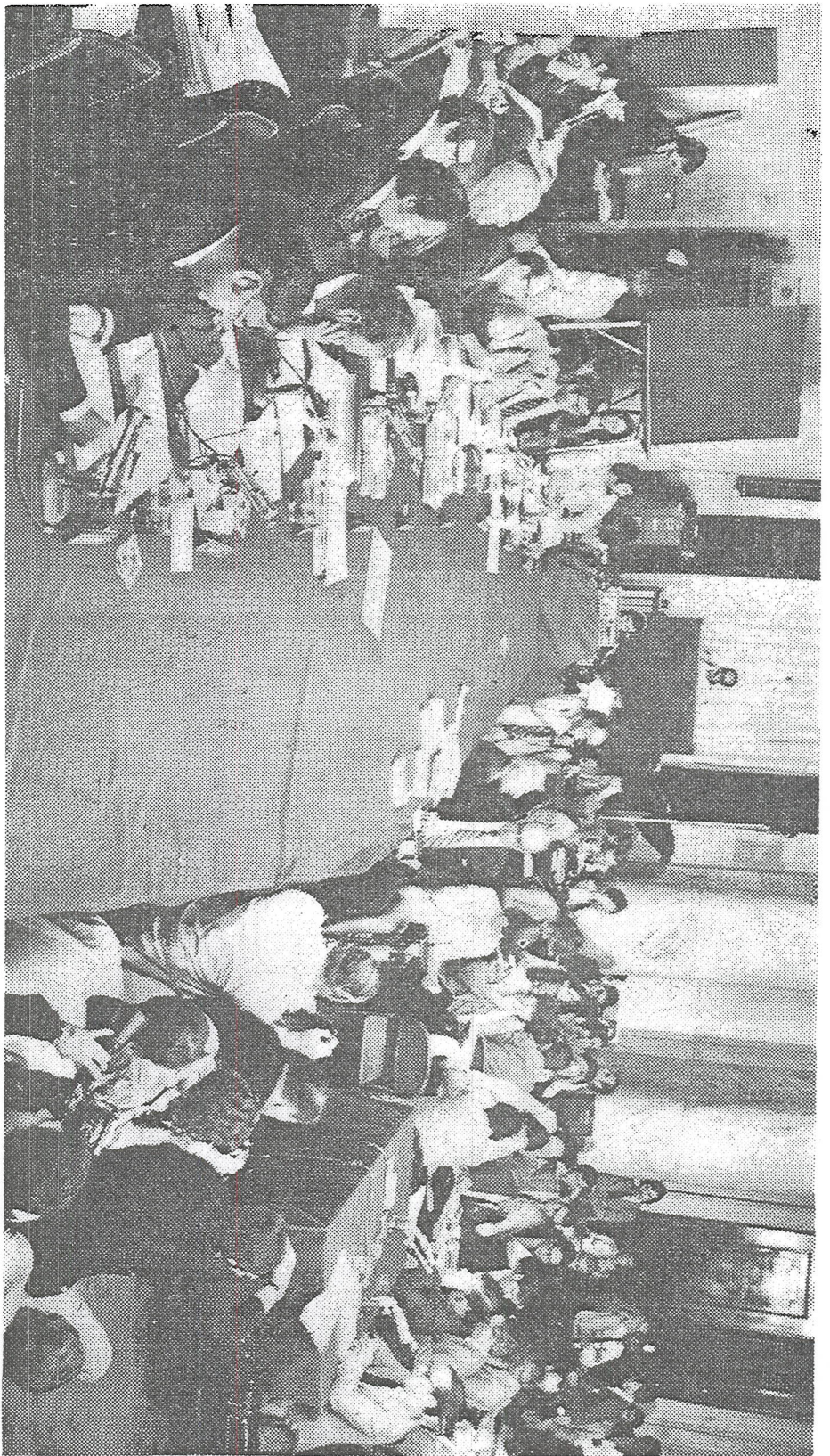
Later, after the meeting had reconvened at La Costa, the discussion turned to a general approach of how to deal with the select committee.

After a general discussion, Ehrlichman and Haldeman concluded that the theory for dealing with this committee should be as follows: The White House will take a public posture of full cooperation, but privately will attempt to restrain the investigation and make it as difficult as possible to get information and witnesses. A behind-the-scenes media effort would be made to make the Senate inquiry appear very partisan. The ultimate goal would be to discredit the hearings and reduce their impact by attempting to show that the Democrats have engaged in the same type of activities.

During the meeting on Saturday afternoon [Feb. 11th] Ehrlichman instructed me to call Wally Johnson and tell Johnson that he was to go visit with Senator Baker during the then Congressional recess to find out how Senator Baker planned to operate (that is—was he going to be friend or foe) and to ask Senator Baker how the White House could aid him, partic-

Members of the Senate committee on Watergate and others listening to John W. Dean 3d, on right at table, read his statement yesterday

The New York Times



ularly regarding the selection of the minority counsel.

Legal Discussion

At one point in the meeting, Ehrlichman raised the question of whether or not the select committee was going to be able to obtain the grand jury minutes and other investigative records from the F.B.I. and the U.S. Attorney's office. I said I did not know and then a discussion of possible legal options ensued. No one really knew what the law might be regarding this matter, but Ehrlichman stated that the Attorney General will have to be told that the Justice Department should resist turning over such records, and that I should get word back to the attorney for the defendants that they should fight the release of these investigative records to the Senate.

When discussing how to handle the press coverage of the Senate hearings, Haldeman suggested that Pat Buchanan be used as a watch dog of the press. Mr. Bu-

Continued on Following Page

chman could prepare speeches on the biased press coverage. He could write op-ed articles and actually attend the hearings and be a White House spokesman to take the pressure off Ziegler's daily briefings.

There was lengthy discussion of the importance of the minority counsel. Both Ehrlichman and Haldeman felt very strongly about having a man, as minority counsel, who would work with the White House. A number of suggestions were made and discussed. Ehrlichman thought that Mr. Fred Buzhardt would be an excellent choice. I was asked to come up with some names for consideration as soon as possible and report back.

It was toward the end of the meeting on Sunday afternoon, Feb. 11th, that Ehrlichman raised the bottom line question: Would the seven Watergate defendants remain silent through the Senate hearings? I say this was a bottom line question because the entire strategy was based on this continued silence. I reported that I could not answer the question because I did not know. I said that I understood that they were still demanding more money, but as we had discussed previously, there was no more money available.

Matter for White House

I told both Haldeman and Ehrlichman that I had carried their messages to Mitchell, that this is something he should take care of, but they were aware of Mitchell's feelings that the White House should be concerned about the matter. I said as far as I was concerned that they would have to take this up with Mitchell in that Mitchell felt it was a matter for the White House.

At this point, Ehrlichman told Mr. Moore—who was hearing all this for the first time—that he [Moore] should go to Mitchell and simply lay it out that it was Mitchell's responsibility to raise the necessary funds for these men. It had been decided at the outset of the first day of the meetings that Moore would go to New York and report to Mitchell on what had been resolved regarding dealing with the Senate hearings, and now Ehrlichman was telling Moore that an important element of his visit with Mitchell would be for him to raise the necessary future funds for the seven Watergate defendants.

On Feb. 13th I received a call from Johnson, who informed me that he had talked with Senator Baker by telephone. Johnson said that he had discussed the minority counsel position with Senator Baker, and the Senator did not want any official input from the White House and had already given some thought to the qualifications he was seeking in his minority counsel. Johnson told me that he didn't think Senator Baker had ruled out the White House's making some suggestions, but we would have to move quickly. Mr. Johnson also reported that Senator Baker had told him that the White House should be concerned with the President's posture vis-à-vis the Senate inquiry.

Agenda Requested

I returned to the office on Monday, Feb. 19th and spoke with Haldeman on either the 19th or 20th. He requested that I draw up an agenda for a meeting with the President regarding matters which the President should reflect on as a result of the La Costa meeting and subsequent matters which had come up. Mr. Haldeman and I went over the high points of what should be raised, including items that had not come up at La Costa, such as Magruder's desire to return to the White House and sending Mr. Stans for a confirmable post as a tactic to counter the Watergate hearings.

I prepared the agenda. I thought that I was going to attend the meeting with the President, but Haldeman called for the agenda, and not me. I have submitted to the committee a copy of the agenda. You will see that the agenda deals with five items to be discussed and resolved with the President: (1) Senator Baker's requested meeting with the President; (2) Submitting Secretary Stans's name for a confirmable position; (3) What to do with Mr. Magruder; (4) Using Mr. Buchanan during the Senate hearings; and (5) Getting the Attorney General back in touch with the White House.

Subsequent to Haldeman's meeting with the President, he informed me that (1) the President would meet with Senator Baker; (2) I should discuss with Mr. Stans his interest in a confirmable position; (3) Mr. Magruder could not return to the White House staff; (4) Mr. Buchanan could not be used at the Senate hearings; and (5) the President would meet with the Attorney General.

I have not explained at this point the details of this rather significant document, but I believe the document is rather self-explanatory of the continuing cover-up. I was not present when the President and Haldeman discussed these matters, but I had dis-

cussed them with Haldeman before he went to see the President and he informed me of the President's decisions after the meeting; thus, I assume that the agenda I had prepared was the basis of their discussions.

On Feb. 20th or 21st, Timmons told he had arranged for the President to have an off-the-record, private meeting with Senator Baker.

After the President met with Senator Baker, I was informed by Haldeman that the Senator had appeared to be very interested in being cooperative and the President had the impression that he might be helpful. This, of course, was the White House hope, but nothing that was reported from the meeting made this anything more than a hope. Also, Senator Baker told the President that he wanted his contact point to be Mr. Kleindienst, rather than someone on the White House staff. Haldeman told me that Senator Baker had urged the President to waive executive privilege and send members of the White House staff to

the hearings as quickly as possible, but the President had told Senator Baker that he was going to hold the line at written interrogatories. Finally, I was told that both the President and Senator Baker had discussed that there should be an effort to get the hearings over as quickly as possible.

This report of the meeting which Haldeman gave me was later confirmed in discussions I had with the President myself in early March of this year.

On Feb. 22nd, Mr. Haldeman requested that I prepare a briefing paper for the President's meeting that day with Attorney General Kleindienst. Throughout the Watergate investigation Haldeman, and particularly Ehrlichman, had complained about Mr. Kleindienst's passive role in the investigation and prosecution. The Senate Watergate hearings presented the real possibility for the Justice Department having to make further criminal investigations that would lead back to the White House. Accordingly, the President was the only one who could bring Mr. Kleindienst back in the family to protect the White House and this meeting was designed to do just that. As a result of Senator Baker's request that Kleindienst be his contact point, the President had a perfect vehicle to solicit Kleindienst's assistance during the hearings and, if anything should develop during the hearings, to not let all hell break loose in a subsequent investigation.

The President subsequently discussed this meeting with me in early March. He told me that he would continue to call Mr. Kleindienst from time to time, but I should also make certain that Kleindienst was working closely with Senator Baker in preparation for the select committee hearings.

It was during this period of time, which I believe was mid-February, Magruder had a conversation with Mr. O'Brien in which he told O'Brien that he had received his final authorization for Liddy's activities from Gordon Strachan and that Strachan had reported that Haldeman had cleared the matter with the President. I reported this to Haldeman, who expressed concern over Magruder's statement. After I reported this information, the White House efforts to find a job for Magruder became intense.

Meetings With President

I would now like to turn to my direct dealings with the President which began in late February of 1973 with regard to the Watergate and related matters. I feel I can best set forth what transpired at these meetings by discussing what occurred at each meeting. Meeting on Feb. 27th:

This was the first meeting I had had with the President since my Sept. 15, 1972, meeting which related to the Watergate. It was at this meeting that the President directed that I report directly to him regarding all Watergate matters. He told me that this matter was taking too much time from Haldeman's and Ehrlichman's normal duties and he also told me that they were principals in the matter, and I, therefore, could be more objective than they.

and sent them to the President.

I was made aware of the President's strong feelings about even the smallest of demonstrations during the late winter of 1971, when the President happened to look out the windows of the residence of the White House and saw a lone man with a large 10-foot sign stretched out in front of Lafayette Park.

I ran into Mr. Dwight Chapin who said that he was going to get some "thugs" to remove that man from Lafayette Park. He said it would take him a few hours to get them, but they could do the job. I told him I didn't believe that was necessary. I then called the Secret Service and within 30 minutes the man had been convinced that he should move to the back-side of Lafayette Park. There the sign was out of sight from the White House. I told Mr. Chapin he could call off the troops.

Akron Trip Recalled

I also recall that the first time I ever traveled with the President was on his trip in 1971 to the Football Hall of Fame.

When the President arrived at the motel where he was spending the night in Akron, across the street were chanting, Vietcong-flag-waving demonstrators. The President told the Secret Service agent beside him, in some rather blunt synonyms, to get the demonstrators out of there. The word was passed, but the demonstrators couldn't be moved.

It was after observing that incident a major part of any Presidential trip advance operation was insuring that demonstrators were unseen and unheard by the President.

In early February of 1972, I learned that any means—legal or illegal—were authorized by Mr. Haldeman to deal with demonstrators when the President was traveling or appearing some place. I would like to add that when I learned of the illegal means that were being employed, I advised that such tactics not be employed in the future and if demonstrations occurred—they occurred.

There was a continuing dissatisfaction with the available intelligence reports. The President himself discussed this with me in early March of this year, as a part of the planned counter-offensive for dealing with the Senate Watergate investigation. The President wanted to show that his opponents had employed demonstrators against him during his re-election campaign.

We never found a scintilla of viable evidence indicating that these demonstrators were part of a master plan; nor that they were funded by the Democratic political funds; nor that they had any direct connection with the McGovern campaign. This was explained to Mr. Haldeman, but the President believed that the opposite was, in fact, true.

Phone Tap Described

I believe that most anyone who worked at the White House during the past four years can attest to the concern that prevailed regarding leaks—any and all leaks. I would guess that I had been at the White House almost a year before Caulfield told me that he had been directed by Ehrlichman to wiretap a newsman's telephone in pursuit of a leak. He told me that he had been directed to perform the wiretap when Mr. Hoover was unwilling, but Mr. Ehrlichman wished to proceed.

I have no idea if the reason for the wiretap was related to national security and I believe Caulfield told me it was Joseph Kraft's telephone they tapped.

While there was an always present concern about leaks, that concern took a quantum jump when The New York Times began publishing the Pentagon papers in June of 1971.

It was late June or early July that Jack Caulfield came to me to tell me that Colson had called him in, at Ehrlichman's direction, and instructed him to burglarize the Brookings Institute in an effort to determine if they had certain leaked documents. What prompted Mr. Caulfield to come to me was that he thought the matter was most unwise and that his instructions from Colson were insane.

Wiretap Logs

Colson had instructed him to plant a fire bomb in the building and retrieve the documents during the commotion that would ensue. Mr. Caulfield said Colson's entire argument for burglarizing the Brookings was based on a publication he had obtained indicating that the Brookings was planning for the fall (1971) a study of Vietnam based on documents of a current nature, and a former consultant to the N.S.C. worked there.

I arranged to see Ehrlichman and told him that the burglary of Brookings was insane and probably impossible. He said O.K. and he called Mr. Colson to call it off.

It was not until almost a year or more later that Mr. Mardian told me that he had gone to see the President to get instructions regarding

the disposition of wiretap logs that related to newsmen and White House staffers who were suspected of leaking. These logs had been in possession of Mr. William Sullivan, an assistant director of the F.B.I.

About Feb. 22d or 23d of this year, Time magazine notified the White House it was going to print a story that the White House had undertaken wiretaps of newsmen and White House staff and requested a response.

The White House press office notified me of this inquiry.

I then called Mr. Ehrlichman and told him about the forthcoming story in Time magazine. I asked him how Mr. Ziegler should handle it. He said Mr. Ziegler should flatly deny it—period.

Turning now to the so-called "plumbers" unit that was created to deal with leaks.

Shortly after Krogh told me about his unit, he told me that they were operating out of a super secured location in the basement of the Executive Office Building. He invited me down to see the unit, which I did and he showed me the sensor security system and scrambler phone.

As I have indicated, the June, 1971, publication of the Pentagon papers caused general consternation at the White House over the leak problem. As a part of that effort, Mr. Haldeman instructed Mr. Fred Malek, Mr. Larry Higby, Mr. Gordon Strachan and myself to develop follow-up strategy for dealing with leaks. Malek was to take charge and Mr. Haldeman was to be brought in as the "lord high executioner" when a leak was uncovered. This project was to complement and not compete with the plumbers. To the best of my knowledge this project never uncovered the source of a single leak.

The pre-re-election White House thrived on political gossip and political intelligence. I knew of the type of information they sought even before I joined the White House staff. During the summer of 1969, while I was working at the Justice Department, the then Deputy Attorney General, Richard Kleindienst, called me into his office and told me that the White House wanted some very important information. Mr. Kleindienst instructed me to call Mr. DeLoach, then deputy director of the F.B.I., and obtain from him information regarding the foreign travels of Mary Jo Kopechne.

It was not until I joined the White House staff that Caulfield was assigned to develop political intelligence on Senator Edward Kennedy. Mr. Caulfield told me that within some six hours of the accident at Chappaquiddick on July 18, 1969, he had a friend on the scene conducting a private investigation. Caulfield also informed me that his instructions were to continue surveillance of Senator Kennedy.

In the fall of 1971 I received a call from Larry Higby, who told me that Haldeman wanted 24 hour surveillance of Senator Kennedy.

Caulfield told me that he thought that this was most unwise because it could uncover his activities in that Senator Kennedy was bound to realize he was under surveillance and it could easily be misinterpreted as someone who was planning an attack on his life, and the police or the F.B.I. might be called in to investigate. I agreed fully with Caulfield. After some initial resistance, I convinced Higby that it was a bad idea and the day-in, day-out, surveillance concept was called off. Instead, Caulfield was to keep a general overview of Senator Kennedy's activities and pursue specific investigations of activities that might be of interest.

Political intelligence often came from unexpected sources. For example, during the spring of 1972, a top man at the Secret Service brought me information regarding Senator McGovern. I asked Mr. Colson if he were interested. He was very interested and had the information published.

Three Aides Named

The persons on the White House staff who were most interested in political intelligence were Ehrlichman, Haldeman and Colson.

Principally Colson and sometimes Haldeman.

In addition to the extensive efforts to obtain politically embarrassing information on Senator Kennedy, there were also frequent efforts to obtain politically embarrassing information on Mr. Lawrence O'Brien, the Democratic National Committee chairman, Senator Muskie and Senator McGovern.

It was the spring of 1971 that Mr. Haldeman discussed with me what my office should do during the forthcoming campaign year. He told me that we should take maximum advantage of the President's incumbency and the focus of everyone in the White House should be on the re-election of the President. It was decided that the principal area of concern for my office should be keeping the White House in compliance with the election laws and improving our in-

telligence regarding demonstrations.

Krogh suggested that Mr. Gordon Liddy might be available. Krogh spoke very highly of Liddy's ability as a lawyer and said that his F.B.I. - Treasury Department background in law enforcement would qualify him to handle a demonstration intelligence and security operation for the re-election committee. I did not know Mr. Liddy but I respected Krogh's judgment.

Several days later Mr. Krogh informed me that Liddy was interested. I told Liddy that among the responsibilities of the general counsel would be keeping abreast of the potential demonstrations that might affect the campaign. Liddy said he was interested. Krogh said that he first would have to clear it with Ehrlichman. I advised them that Mr. Mitchell and Mr. Magruder would be making the decision on filling the post.

Approval Reported

When Krogh gave me the O.K. from Ehrlichman, I called Mr. Mitchell and arranged for Liddy to meet with Mitchell on Nov. 24, 1971. There was virtually no discussion of intelligence plans, other than that Liddy would draw up some sort of plans. Most of the conversation centered around title and compensation.

After this meeting, Mitchell called me to say that he wanted Magruder to interview Liddy because Magruder would be the man working with him most.

The next time I recall meeting with Mr. Liddy was at a meeting in Mitchell's office on Jan. 27, 1972. Liddy was going to present his intelligence plan. I met Magruder and Liddy at Mitchell's office. Liddy had a series of charts or diagrams which he placed on an easel and the presentation by Liddy began.

I did not fully understand everything Mr. Liddy was recommending at the time because some of the concepts were mind-boggling.

Plans called for mugging squads, kidnapping teams, prostitutes to compromise the opposition, and electronic surveillance. He explained that the mugging squad could, for example, rough up demonstrators that were causing problems. The kidnapping teams could remove demonstration leaders and take them below the Mexican border.

New Plan Requested

The prostitutes could be used at the Democratic convention to get information as well as compromise the person involved. I recall Liddy saying that the girls would be high class and the best in the business. When discussing the electronic surveillance he said that he had consulted with one of the best authorities in the country and his plan envisioned far more than bugging and tapping phones. He said that, under his plan, communication between ground facilities and aircraft could also be intercepted.

I recall Mitchell's reaction to the "Mission Impossible" plan. When the presentation was completed, he took a few long puffs on his pipe and told Liddy that the plan he had developed was not quite what he had in mind

and the cost was out of the question.

He suggested he go back and revise his plan, keeping in mind that he was not interested in the demonstration problem.

At that point I thought the plan was dead, because I doubted if Mitchell would reconsider the matter.

On Feb. 4, 1972, Magruder scheduled another meeting in Mr. Mitchell's office on a revised intelligence plan. The only polite way I thought I could end the discussions was to inject that these discussions could not go on in the office of the Attorney General of the United States and that the meeting should terminate immediately.

I do not know to this day who kept pushing for these plans. I do know, in hindsight, that I should have not been as polite as I was. After I ended the second meeting, I told Liddy that I would never again discuss this matter with him. I told him that if any such plan were approved, I did not want to know.

After this second meeting in Mitchell's office, I told Haldeman what had been presented by Liddy and told him that I felt it was incredible, unnecessary and

unwise. I told him that no one at the White House should have anything to do with this. I said that while the re-election committee needed an ability to deal with demonstrations it did not need bugging, mugging, prostitutes and kidnapers. Haldeman agreed and told me I should have no further dealings on the matter.

Democrats' Funding

During the first week of March, 1972, Larry Higby, Haldeman's assistant, called me to request for Haldeman any information that Caulfield could come up with regarding the funding of the Democratic convention in Miami. On March 15th, 1972, I forwarded a newspaper article that Caulfield had discovered.

I told Mr. Higby that I did not see anything illegal by the Democrats based on the information in the memorandum.

I returned from a four-day trip to the Far East on the morning of June 18th. I called my assistant, Fred Fielding, it was at this time that I first learned from Mr. Fielding of the break-in at the D.N.C. headquarters. Mr. Fielding told me that he thought I should return home immediately as there might be a problem.

Accordingly, I flew back to Washington and arrived on Sunday evening. I had a brief conversation with Mr. Fielding and he informed me that he had learned from Jack Caulfield that Mr. McCord from the re-election committee was among those arrested in the D.N.C. on Saturday and also that one of the Cubans arrested had a check that was made out by Howard Hunt to some country club. I recall that my immediate reaction was that Chuck Colson was probably involved.

On Monday morning, June 19th, I received a call from Jack Caulfield who repeated what Mr. Fielding had told me on Sunday evening. Mr. Caulfield informed me that he had received the information from Mr. Boggs of the Secret Service. I next re-

ceived a call from Magruder and I told Magruder that I had just arrived back in the country and did not know any of the facts surrounding the incident, but I would look into it.

Call From Ehrlichman

I next received a call from Ehrlichman, who instructed me to find out what I could and report back. I recall that Ehrlichman told me to find out what Colson's involvement was in the matter and he also suggested I speak with Mr. Kleindienst to see what the Justice Department knew about it.

I next received a call from Gordon Strachan who said he wanted to meet with me.

I next talked with Chuck Colson on the phone. I asked him what he knew about the incident and he vehemently proposed that he knew nothing and had no involvement in the matter whatsoever.

I recall asking Colson if Hunt still worked for him and again he became very defensive and stated that he was merely on his payroll because Ehrlichman had so requested.

Colson also expressed concern over the contents of Hunt's safe. Over the weekend of June 17-18th, Hunt had told Colson to get the materials out of his—Hunt's—office safe.

I next contacted Liddy and asked to meet with him.

Mr. Liddy told me that the men who had been arrested in the D.N.C. were his men and he expressed concern about them. I asked him why he had men in the D.N.C. and he told me that Magruder had pushed him into doing it.

Liddy was very apologetic for the fact that they had been caught and that Mr. McCord was involved. He told me that he had used Mr. McCord only because Magruder had cut his budget so badly.

He also told me that he was a soldier and would never talk. He said that if anyone wished to shoot him on the street, he was ready. As we parted I said I would be unable to discuss this with him further. He said he understood.

File Destruction Alleged

After returning to my office Gordon Strachan told me that he had been instructed by Haldeman to go through all of Mr. Haldeman's files over the week-end and remove and destroy damaging materials. He told me that this material included such matters as memoranda from the re-election committee, documents relating to wiretap information from the D.N.C., notes of meetings with Haldeman, and a document which reflected that Haldeman had instructed Magruder to transfer his intelligence gathering from Senator Muskie to Senator McGovern. Strachan told me his files were completely clean.

That afternoon, Ehrlichman instructed me to call Liddy to have him tell Hunt to get out of the country. I did this without even thinking. Shortly after I made the call, however, I realized that no one in the White House should give such an instruction and raised the matter. Colson chimed in that he also thought it unwise and Ehrlichman agreed. I immediately called Liddy again to retract the request and he informed me that he had already passed the message and it might be too late to retract.

Colson raised the matter of Hunt's safe. Colson, without getting specific, said it was imperative that someone get the contents of Hunt's safe. Colson suggested, and Ehrlichman concurred, that I take custody of the contents of the safe.

It was on June 20th or 21st that Strachan and Mr. Richard Howard came to my office. Strachan informed me that Haldeman had authorized an expenditure by Colson of some funds, but the entire amount had not been expended and he was turning over the remainder to me to hold. I placed the cash, \$15,200, in my safe. I informed Mr. Fielding of my office of the fact that the cash was in my safe and where it had come from.

Figures in Senate Inquiry

Special to The New York Times

WASHINGTON, June 25 — Following are the names of individuals who figured today in hearings by the Senate select committee on the Watergate case:

COMMITTEE MEMBERS

Sam J. Ervin Jr., Democrat of North Carolina, chairman.

Herman E. Talmadge, Democrat of Georgia.

Daniel K. Inouye, Democrat of Hawaii.

Joseph M. Montoya, Democrat of New Mexico.

Howard H. Baker Jr., Republican of Tennessee.

Edward J. Gurney, Republican of Florida.

Lowell P. Weicker Jr., Republican of Connecticut.

COMMITTEE COUNSEL

Samuel Dash, chief counsel and staff director.

Fred D. Thompson, chief minority counsel.

WITNESSES

John W. Dean 3d, former counsel to the President.

LESSER-KNOWN PERSONS NAMED

Fred Fielding, former assistant to Mr. Dean.

Bryce Harlow, former White House liaison chief.

Lawrence M. Higby, former assistant to H. R. Haldeman.

Wallace H. Johnson Jr., a former White House Congressional liaison, now an assistant Attorney General.

Bruce A. Kehrl, staff secretary to the President.

Mary Jo Kopechne, former member of Senator Robert F. Kennedy's staff who drowned at Chappaquiddick Island in July, 1969.

William G. Lambert, former investigative reporter for Life magazine.

Robert C. McCandless, attorney for Mr. Dean.

Paul L. O'Brien, an attorney for the Committee for the Re-election of the President.

Wright Patman, Democratic Representative of Texas, chairman of the House Banking and Currency Committee.

Henry E. Petersen, an assistant Attorney General who was in charge of the Watergate prosecution until last month.

Charles N. Shaffer, attorney for Mr. Dean.

Earl J. Silbert, an assistant United States Attorney and former chief Federal prosecutor in the Watergate break-in.

William E. Timmons, White House director of Congressional relations.

Clyde A. Tolson, former assistant director of the Federal Bureau of Investigation.

Lieut. Gen. Vernon A. Walters of the Army, deputy director of the Central Intelligence Agency.

Used Funds for Wedding

The cash remained in my safe untouched until Oct. 12th, 1972 when I removed a packet of bills amounting to \$4,850 and placed my personal check for that amount with the remaining cash. I removed the \$4,850 after I had failed to make arrangements to pay for the anticipated expenses of my wedding, and honeymoon.

At no time when I was making personal use of part of these funds did I plan—or believe—that I would not have to account for the entire amount at some point in time.

I have never sought to hide the fact that I made personal use of this money from anyone. I informed my lawyers, I informed the Government prosecutors in March, and I informed Mr. Dash at the outset of our discussions.

I met with Attorney General Kleindienst on either Monday, June 19th, or Tuesday, June 20th. I had been asked by Ehrlichman to talk with Kleindienst about the scope of the investigation.

I told Mr. Kleindienst that

I did not have all the facts, but I was very concerned that this matter could lead directly to the President. I told him that I did not know if the President was involved, but I was concerned. I remember Kleindienst saying to me that he certainly hoped that the President was not involved or that I was not involved. I responded that I certainly had not been involved in any criminal activity.

Kleindienst called Henry Peterson and asked Peterson to come to his office. While we were waiting for Peterson, Kleindienst told me that my superiors at the White House never understood that once an investigation begins, it runs its full course. He said that he was always being asked to take care of this matter or that matter, as if by magic he could make something unpleasant go away.

Status Report Given

When Peterson arrived at Kleindienst's office he gave a status report of the investigation. Kleindienst then related my concern to Peterson. Peterson was troubled by the case and the implica-

tions of it. Kleindienst had another meeting, so Peterson and I talked further. To the best of my recollection, we did not discuss specifics. I told him I had no idea where this thing might end. But I told him I didn't think the White House could withstand a wide open investigation.

I do not recall ever reporting this meeting to Ehrlichman, because he had a somewhat strained relationship with Kleindienst and I thought he would raise havoc that I did not have an assurance from Kleindienst that he would take care of everything. I did report, however, that I felt Peterson would handle the matter fairly and not pursue a wide open inquiry into everything the White House had been doing for four years. I made this statement not because of anything Peterson specifically said, as much as the impression he gave me that he realized the problems a wide open investigation of the White House, might create in an election year.

Returning now to the contents of Mr. Hunt's safe, it was midmorning on Tuesday, June 20th, when the G.S.A. men brought several cartons to my office, which contained the contents of Hunt's safe.

During the afternoon, Fielding and I began going through the cartons of Hunt's materials, [including a] briefcase, which contained electronic equipment.

Among the papers were numerous memoranda to Chuck Colson regarding Hunt's assessment of the plumbers unit, a number of materials relating to Mr. Daniel Ellsberg, a bogus cable, that is other cables spliced together into one cable, regarding the involvement of persons in the Kennedy Administration in the fall of the Diem regime in Vietnam, a memorandum regarding some discussion about the bogus cable with Colson and William Lambert, some materials relating to an investigation Hunt had conducted for Colson at Chappaquiddick, some materials relating to the Pentagon papers.

Told To Shred Papers

He told me to shred the documents and "deep six" the brief case. I asked him what he meant by "deep six." He leaned back in his chair and said: "You drive across the river on your way home at night—don't you?" I said yes. He said, "Well, when you cross over the bridge on your way home; just toss the briefcase into the river."

After leaving Ehrlichman's office I thought about what he had told me to do and was very troubled. I raised it with Fielding and he shared my feelings that this would be an incredible action—to destroy potential evidence. I think Mr. Fielding appreciated my quandary — when Ehrlichman said something, he expected it to be done.

I believe that it was on June 21st that I first met with Gray in his office in the late morning regarding the F.B.I.'s investigation. At that meeting he told me he fully realized the sensitive nature of the investigation they were pursuing and that he had placed his most trusted senior people in charge.

He informed me that the F.B.I. had uncovered a number of major banking transactions that had transpired in the account of one of the arrested Cubans—Mr. Barker. He informed me that they had traced a \$25,000 check to a Mr. Kenneth Dahlberg and four checks totalling \$89,000 to a bank in Mexico City.

The fact that the F.B.I. was investigating these matters was of utmost concern to Mr. Stans when he learned of it.

Concern Over Reports

In addition to the conversations that I was having with Gray regarding the status of the investigation, Mitchell, Ehrlichman and Haldeman thought that I should see the F.B.I. reports.

In early July I raised with him [Gray] my receiving some of the raw F.B.I. data regarding the investigation. Gray

said that he would have to check but wanted an assurance from me that this information was being reported to the President and that was the principal purpose of the request. I assured him that it was being reported to the President. Even though I was not directly reporting to the President at that time, I was aware of the fact that Ehrlichman or Haldeman had daily discussions with the President, and I felt certain, because Haldeman often made notes, about the information I was bringing to their attention, that this information was being given to the President.

I believe it was after the 21st of July when I received a summary report that had been prepared on the investigation to that stage. Mardian insisted that he be permitted to see the F.B.I. reports.

Mr. Mardian became very excited because of the scope of the investigation that Gray was conducting and the tone of the cables he was sending out of headquarters. Mardian clearly thought that Gray was being too vigorous in his investigation of the case and was quite critical of Gray's handling of the entire matter. He demanded that I tell Gray to slow down, but I never did so.

It was during the meeting in Mitchell's office on June 23d or 24th that Mardian first raised the proposition that the C.I.A. could take care of this entire matter if they wished. Mitchell suggested I explore with Ehrlichman and Haldeman having the White House contact the C.I.A. for assistance.

Ehrlichman thought it was a good idea. He told me to call General Walters because he was a good friend of the White House and the White House had put him in the deputy director position so they could have some influence over the agency.

C.I.A. Use Examined

When General Walters came to my office I asked him if there was any possible way the C.I.A. could be of assistance in providing support for the individuals involved. General Walters told me that while it could, of course, be done, he told

me that he knew the director's feelings about such a matter and the director would only do it on a direct order from the President. He then went on to say that to do anything to compound the situation would be most unwise and that to involve the C.I.A. would only compound the problem because it would require that the President become directly involved.

When I reported this to Ehrlichman, he very cynically said that General Walters seems to have forgotten how he got where he is today.

I would now like to explain the transmitting of the materials in Hunt's safe to the F.B.I.

I spoke with Ehrlichman on the 28th and informed him the material had been sent to the F.B.I. with the exception of the politically sensitive documents. He told me he was meeting later that day with Gray and I should bring them over at that time.

When Gray arrived Ehrlichman told him that we had some material for him that had come from Hunt's safe. Ehrlichman described it as politically sensitive, but not related to the Watergate per se. I said we did not believe they related to the Watergate in any way, but should they leak out they would be political dynamite in an election year. I believe at that point Gray placed the two envelopes in his brief case. At no time while I was present with Gray and Ehrlichman was he instructed by myself or Ehrlichman to destroy the documents. Rather, he was merely told that they must never be leaked or made public. I departed and returned to my office.

Documents Discussed

The next time the fact of giving these documents to Gray came up was shortly before the criminal Watergate trial in January. Fielding, Kerhli and I were being interviewed by the prosecutors regarding the handling of the materials in Hunt's safe. At one point in the interview, I asked Henry Peterson, who was present with Mr. Earl Silbert, if I could speak with him privately. At that time I felt I had to tell Peterson that not all the materials from Hunt's safe had gone directly to the agents.

I told Petersen that if I were to testify I would have to reveal this fact. Mr. Petersen suggested that the interview be terminated, which it was, and that they would get back to me and we could complete it on another day. I was not called again.

I recall that shortly after this meeting in Peterson's office, I talked with Gray at a Department of Justice luncheon. After the luncheon he came up to me and told me that I must "hang tight" on not disclosing his receipt of the documents. He also informed me that he had destroyed the documents.

On the afternoon of June 28th, in a meeting in Mr. Mitchell's office there was a discussion of the need for support money in exchange for the silence for the men

Continued on Following Page

Continued From Preceding Page

in jail. Mr. LaRue indicated that Mr. Stans had only a small amount of cash. I believe he said \$70,000 or \$80,000, but more would be needed. Mitchell asked me to get the approval of Haldeman and Ehrlichman to use Mr. Herb Kalmbach to raise the necessary money. Before I departed the meeting Mr. Mitchell, in an aside for my ears only, told me that the White House, in particular Ehrlichman, should be very interested and anxious to accommodate the needs of these men. He was referring to activities that they had conducted in the past that related to the White House, such as the Ellsberg breakdown.

I conveyed this request to Haldeman and Ehrlichman and they told me to proceed to contact Mr. Kalmbach.

The 'Dean Report'

It was while I was in San Clemente, at the end of August, that the President announced at a press conference the so called "Dean Report" which cleared everybody presently employed at the White House or in the Administration from any complicity in the Watergate matter. This statement was made on Aug. 29th, 1972.

I had no advance knowledge that the President was going to indicate that I had investigated the matter and found no complicity on the part of anybody at the White House or anyone presently employed in the Administration. I first learned of the matter when I heard it on a television news broadcast.

Had I been consulted in advance by the President, I would have strongly opposed the issuing of such a statement. First, I was aware that Gordon Strachan had close, daily, liaison with Magruder and had carried information relating to wiretapped conversations into the White House and later destroyed incriminating documents at Haldeman's direction.

Secondly, I had never been able to determine whether Haldeman had advance knowledge or not, and in fact, had never asked him because I didn't feel I could.

Thirdly, I had always suspected, but never been able to completely substantiate my suspicion, that Colson was far more knowledgeable than he protested.

I don't know if the President's statement was meant to be a very literal play on carefully chosen words or whether he intended to give it the broad-brush interpretation that it later received.

The issuing of the so-called "Dean Report" was the first time I began to think about the fact that I might be being set-up in case the whole thing crumbled at a later time.

In early September, the concern of the White House and the re-election committee shifted to the very active investigation that was being pursued by the Democratic National Committee through its discovery proceedings in its lawsuit against the re-election committee. The Democrats were making daily headlines.